

CITY COUNCIL “HYBRID”

MEETING AGENDA v2

June 13, 2022

City Council Meeting 7:00 pm

LOCATION: City Council Chambers, City Hall

60 Pleasant Street, Newburyport

Zoom details for Hearing and Council Meeting:

<https://us02web.zoom.us/j/81299990548>

Or One tap mobile:

US: +19292056099,81299990548#

Or Telephone US: +1 929 205 6099

Webinar ID: 812 9999 0548

1. MOMENT OF SILENCE

2. PLEDGE OF ALLEGIANCE

3. CALL TO ORDER

4. LATE FILE

- COMM00418_06_13_2022 Ltr. Claire Papanastasiou re: IFS Proposed Settlement (GG)
- COMM00418_06_13_2022 Ltr. Peter Mackin re: IFS Proposed Settlement (GG)
- TRAN00132_06_13_2022 Reciepts Reserved Appr. Fuel \$58,031 to DPS Highway Fuel \$58,031 (B&F)
- ORDR00367_06_13_2022 Parks Make A Wish Gift Acceptance (B&F)
- ODNC00115_06_13_2022 Amendment to Noise 8 – 101 (PS)

5. PUBLIC COMMENT

6. MAYOR'S COMMENT

CONSENT AGENDA

NOTE: ALL ITEMS LISTED UNDER CONSENT AGENDA WILL BE ENACTED BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THESE ITEMS. IF DISCUSSION IS DESIRED, THAT ITEM WILL BE REMOVED FROM THE CONSENT AGENDA AND CONSIDERED SEPARATELY.

7. APPROVAL OF MINUTES

May 31, 2022

(Approve)

8. COMMUNICATIONS

- APPL00084_06_13_2022 Block Party 22 Lafayette St. Sat., August 6th 3-10pm (PS)
- APPL00085_06_13_2022 Waterfront Concert w/vendors Mon. & Tues., July 4th & 5th 10am-8pm (PS)
- APPL00086_06_13_2022 19th Annual Chocolate Tour Saturday, Oct. 1st 12-4pm (PS)
- APPL00087_06_13_2022 Walk Against Domestic Violence Sunday, Oct. 2nd 8-11am (PS)

9. TRANSFERS

- TRAN00130_06_13_2022 Fire Dept. Multiple \$195,000 to Fire OT \$150,000, Fire Salary \$25,000, and Fire Dispatch OT \$20,000 (B&F)
- TRAN00131_06_13_2022 Mayor's Office IT Salary Dir. \$45,000 to IT Prof Serv. \$20,000 and Offsite Serv. \$25,000 (B&F)

10. APPOINTMENTS

ALL ITEMS NOTED BELOW ARE REMOVED FROM THEIR RESPECTIVE COMMITTEES WITH THE MOTION TO APPROVE THE CONSENT AGENDA

BUDGET & FINANCE

- ORDR00354_05_09_2022 FY23 CPC Recommendations (COTW) PARTIAL: Projects 2, 3, 5, 6, 7, 10
- ORDR00362_05_31_2022 Friends of COA Gift Acceptance \$15,700
- ORDR00361_05_31_2022 Free Cash Transfer & Grant Acceptance – LWCF Grant for Bartlet Mall
- TRAN00128_05_31_2022 Library Staff Salary \$25,955 to Library Heat/Electricity \$6,000 and Library Maint. Expense \$18,535 and Library Admin Expense \$1,420

PUBLIC SAFETY

- APPT00323_05_31_2022 George Sass 37 Jefferson St. Harbor Commission 5/31/2025
**Re-appointment*
- APPL00078_05_31_2022 Block Party 14 Dove St. Saturday, August 6th 5:30pm -10pm
- APPL00079_05_31_2022 Newburyport Lions Bed Race August 4th 5pm-8pm
- APPL00081_05_31_2022 Block Party 31 Howard St. Friday June 17th 12pm-9pm
- APPL00083_05_31_2022 Riverfest Saturday, July 23rd 12pm-7pm
- COMM00411_05_31_2022 Waterfront Trust Ltr re: July 4-5th Event property use
- COMM00413_05_31_2022 Ltr. Bob Keller re: Speed Limits
- COMM00396_03_14_2022 Ltr. Stephen Comley
- COMM00390_02_28_2022 Gregory Caplan Ltr-Low St./Bright Horizons access to Fuller Field
- ODNC00112_05_31_2022 Amendment Brown Sq Way No Parking
- ODNC00113_05_31_2022 Amendment Brown Sq Way Drop Off Zone

PUBLIC UTILITIES

- APPT00314_04_25_2022 Daniel A. Simon 11 Jackson St. Water/Sewer Comm. 4/30/2024

END OF CONSENT AGENDA

REGULAR AGENDA

9. MAYOR'S UPDATE

10. FIRST READING APPOINTMENTS

11. COMMUNICATIONS

12. TRANSFERS

13. SECOND READING APPOINTMENTS

- APPT00325_05_31_2022 Marilyn Cohodas 66 Washington St. Tree Commission 6/30/2025

14. ORDERS

- ORDR00363_06_13_2022 Water & Sewer Rates FY23 (PU)
- ORDR00364_06_13_2022 FY23 Revolving Fund Spending Limits (B&F)
- ORDR00365_06_13_2022 Acceptance Preservation 90 Water Street (P&D)
- ORDR00366_06_13_2022 Ward 2 Polling Place Change (GG)

15. ORDINANCES

- ODNC00110_05_09_2022 **2nd Reading** amended 5-18-2022 Updating Departmental Revolving Funds
- ODNC00116_06_13_2022 Atwood St. Parking Restrictions

16. COMMITTEE ITEMS

Ad Hoc Committee on Economic Development

In Committee:

Ad Hoc Committee on Market Landing Park and COTW

In Committee:

Budget & Finance

In Committee:

- **ORDR00354 05 09 2022 FY23 CPC Recommendations (COTW) Partial :Projects 2, 3, 5, 6, 7, 10**
- **ORDR00362 05 31 2022 Friends of COA Gift Acceptance \$15,700**
- **ORDR00361 05 31 2022 Free Cash Transfer & Grant Acceptance – LWCF Grant for Bartlet Mall**
- **TRAN00128 05 31 2022 Library Staff Salary \$25,955 to Library Heat/Electricity \$6,000 and Library Maint. Expense \$18,535 and Library Admin Expense \$1,420**
- ORDR00336_03_28_2022 ARPA Amesbury 250K
- ORDR00355_05_09_2022 Loan Order \$2,574,000 Bartlet Mall Improvements Project
- ORDR00356_05_09_2022 Loan Order \$3,000,000 Market Landing Park Expansion Project
- ORDR00350_05_09_2022 FY2023 Budget Order (COTW)
- TRAN00129_05_31_2022 Mayor's Office Multiple See Attached \$3,021,480.56 to Multiple See Attached \$3,021,480.56
- ORDR00359_05_31_2022 Gift Acceptance FONT \$9,000

Education

In Committee:

General Government

In Committee:

- COMM00402_04_11_2022 12 Cushing Ave Paper St. Inquiry
- COMM00405_04_11_2022 Mayor's Strategic Plan (COTW)
- COMM00417_05_31_2022 Ltr. Jane Snow re: Coffin St.
- COMM00410_05_31_2022 Ltr. Lawrence Cavalieri Coffin St. Ext
- APPT00322_05_31_2022 Richard B. Jones 283 High St. City Clerk 06/30/2025
**Re-appointment*
- ORDR00360_05_31_2022 Authorizing City Clerk Contract 2022

License & Permits

In Committee:

- ODNC047_01_27_2020 General Ordinance - Short Term Rental Units Rules
- COMM00385_01_31_2022 STRU Fire Sprinkler Systems
- COMM00388_01_31_2022 UPDATED STRU Fire Sprinkler Systems

Neighborhoods & City Services

In Committee:

- COMM299_02_08_2021 Phillips Dr. Neighborhood Committee Ltr
- ODNC00103_01_10_2022 Streets, Sidewalks, and Other Public Places Alterations & Maintenance
- COMM00406_04_11_2022 Pioneer League Letter re: Pickleball

Planning & Development

In Committee:

- ODNC046_01_27_2020 Zoning Amendment Short Term Rental Unit (STRU) (COTW)
- COMM00398_03_28_2022 Memo DHCD MBTA Housing Choice Briefing (COTW)
- APPT00316_04_25_2022 Stephen Moore 10 N. Atkinson St. Conservation Comm. 5/1/2025
- APPT00317_04_25_2022 Lynn Schow 75 High St. ZBA 5/15/2023
- APPT00321_05_09_2022 Charles Aloviseti 60 Bromfield St Conservation Comm. 6/1/2025
- ODNC00111_05_09_2022 Amendment Net Zero Energy Public Projects
- COMM00415_05_31_2022 Global Efforts Related/Potential Residential Use Property 5/22 Update
- APPT00326_05_31_2022 Bonnie Sontag 21 Smith St. Planning Board 6/30/2027
- APPT00327_05_31_2022 Patricia Peknik 4 Dove St. ZBA 6/30/2023
- ORDR00358_05_31_2022 Acceptance of Stables - Colby Farm Lane Lot 3

Public Safety

In Committee:

- APPT00323 05 31 2022 George Sass 37 Jefferson St. Harbor Commission 5/31/2025
- *Re-appointment
- APPL00078 05 31 2022 Block Party 14 Dove St. Saturday, August 6th 5:30pm -10pm
- APPL00079 05 31 2022 Newburyport Lions Bed Race August 4th 5pm-8pm
- APPL00081 05 31 2022 Block Party 31 Howard St. Friday June 17th 12pm-9pm
- APPL00083 05 31 2022 Riverfest Saturday, July 23rd 12pm-7pm
- COMM00411 05 31 2022 Waterfront Trust Ltr re: July 4-5th Event property use
- COMM00413 05 31 2022 Ltr. Bob Keller re: Speed Limits
- COMM00396 03 14 2022 Ltr. Stephen Comley
- COMM00390 02 28 2022 Gregory Caplan Ltr-Low St./Bright Horizons access to Fuller Field
- ODNC00112 05 31 2022 Amendment Brown Sq Way No Parking
- ODNC00113 05 31 2022 Amendment Brown Sq Way Drop Off Zone
- APPL00080_05_31_2022 Movable Sign for Smitten at State St. & Threadneedle Alley
- APPL00082_05_31_2022 Ride to end ALZ Saturday, June 4th 8am-11am
- COMM00412_05_31_2022 Ltr Ann Jaronyk re: Traffic Safety
- COMM00414_05_31_2022 Ltr. Emily Dunn re: Traffic on Merrimac Street
- APPT00324_05_31_2022 Justin Dutcher 7 Morin Rd. St. Harbor Commission 5/31/2025
- *Re-appointment
- ODNC00114_05_31_2022 Amended Liberty St Resident Parking

Public Utilities

In Committee:

- APPT00314 04 25 2022 Daniel A. Simon 11 Jackson St. Water/Sewer Comm. 4/30/2024
- ORDR00352_05_09_2022 Licensed Contractor Robert Pike Construction, Inc.
- ORDR00353_05_09_2022 Licensed Contractor Commonwealth and Consulting Co., Inc.

Rules

In Committee:

- ORDR239_02_8_2021 Council Rule 7 and 10B

17. GOOD OF THE ORDER

18. ADJOURNMENT

CONSENT AGENDA

CITY COUNCIL “HYBRID”

MEETING MINUTES

May 31, 2022

CIP Hearing 6:45 pm

City Council Meeting 7:00 pm

LOCATION: City Council Chambers, City Hall

60 Pleasant Street, Newburyport

Zoom details for Hearing and Council Meeting:

<https://us02web.zoom.us/j/81299990548>

Or One tap mobile:

US: +19292056099,81299990548#

Or Telephone US: +1 929 205 6099

Webinar ID: 812 9999 0548

CIP Hearing:

The City Council President Heather Shand called the CIP Hearing to order at 6:45 pm and asked the City Clerk, Richard B. Jones, to call the roll. The following City Councillors answered present: Zeid, Cameron, Khan, McCauley, Preston, Vogel, Wright, and Shand. 8 present, 3 absent (JD, BL, CW).

The Clerk read the notice. Council President Shand asked all to speak in favor, there were none. Council President Shand asked all to speak in opposition, there were none. Council President Shand closed the hearing.

City Council Meeting:

1. MOMENT OF SILENCE

Remembering Pamela Donahue, Daniel Hogan, Kim Dow, Harry Xenelis

2. PLEDGE OF ALLEGIANCE

3. CALL TO ORDER

The City Council President Heather Shand called the meeting to order at 7:00 pm and asked the City Clerk, Richard B. Jones, to call the roll. The following City Councillors answered present: Zeid, Cameron, Donahue, Khan, Lane, McCauley, Preston, Vogel, Wallace, Wright, and Shand. 11 present (BL, CW remote).

4. LATE FILE

- COMM00415_05_31_2022 Global Efforts Related/Potential Residential Use Property 5/22 Update **(P&D)**
- APPT00326_05_31_2022 Bonnie Sontag 10 Upland Rd. Planning Board 6/30/2027 **(P&D)**
- APPT00327_05_31_2022 Patricia Peknik 4 Dove St. ZBA 6/30/2023 **(P&D)**
- ORDR00362_05_31_2022 Friends of COA Gift Acceptance \$15,700 **(B&F)**
- COMM00416_05_31_2022 Ltr. Mark Harrington re: Drag Queen/NYS **(GG)**
- COMM00417_05_31_2022 Ltr. Jane Snow re: Coffin St. **(GG)**
- APPL00083_05_31_2022 Riverfest Saturday, July 23rd 12pm-7pm **(PS)**

Motion to waive the rules and accept the late files by Councillor Zeid, seconded by Councillor Donahue. Roll call vote. 11 yes. Motion passes.

Motion to refer to respective committees listed by Councillor Zeid, seconded by Councillor McCauley. Roll call vote. 11 yes. Motion passes.

5. PUBLIC COMMENT

Andrea Egmont NYS director

6. MAYOR'S COMMENT

CONSENT AGENDA

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7. APPROVAL OF MINUTES

May 9, 2022

(Approve)

8. COMMUNICATIONS

- APPL00078_05_31_2022 Block Party 14 Dove St. Saturday, August 6th 5:30pm -10pm (PS)
- APPL00079_05_31_2022 Newburyport Lions Bed Race August 4th 5pm-8pm (PS)
- APPL00080_05_31_2022 Movable Sign for Smitten at State St. & Threadneedle Alley (PS)
- APPL00081_05_31_2022 Block Party 31 Howard St. Friday June 17th 12pm-9pm (PS)
- APPL00082_05_31_2022 Ride to end ALZ Saturday, June 4th 8am-11am (PS)
- COMM00410_05_31_2022 Ltr. Lawrence Cavalieri Coffin St. Ext (GG)
- COMM00411_05_31_2022 Waterfront Trust Ltr re: July 4-5th Event property use (PS)
- COMM00412_05_31_2022 Ltr Ann Jaroneyk re: Traffic Safety (PS)
- COMM00413_05_31_2022 Ltr. Bob Keller re: Speed Limits (PS)
- COMM00414_05_31_2022 Ltr. Emily Dunn re: Traffic on Merrimac Street (PS)

9. TRANSFERS

- TRAN00128_05_31_2022 Library Staff Salary \$25,955 to Library Heat/Electricity \$6,000 and Library Maint. Expense \$18,535 and Library Admin Expense \$1,420 (B&F)
- TRAN00129_05_31_2022 Mayor's Office Multiple See Attached \$3,021,480.56 to Multiple See Attached \$3,021,480.56 (B&F)

10. APPOINTMENTS

- APPT00322_05_31_2022 Richard B. Jones 283 High St. City Clerk 06/30/2025 (GG)
*Re-appointment
Friendly amendment by Councillor Khan to refer to General Government and COTW
- APPT00323_05_31_2022 George Sass 37 Jefferson St. Asst Harbormaster/Shellfish Constable/ Special Police Officer 5/31/2025 (PS)
*Re-appointment
- APPT00324_05_31_2022 Justin Dutcher 7 Morin Rd. St. Asst Harbormaster/Shellfish Constable/ Special Police Officer 5/31/2025 (PS)
*Re-appointment
- APPT00325_05_31_2022 Marilyn Cohodas 66 Washington St. Tree Commission 6/30/2025

ALL ITEMS NOTED BELOW ARE REMOVED FROM THEIR RESPECTIVE COMMITTEES WITH THE MOTION TO APPROVE THE CONSENT AGENDA

BUDGET & FINANCE

- ORDR00338_04_11_2022 Capital Improvement Program FY2023-2027 (COTW)
- TRAN00125_05_09_2022 Health Ins. Stabilization Fund \$60K to INS Health Ins. Premiums \$60K
- TRAN00126_05_09_2022 SUS Solid Waste \$50,000 to LGL City Solicitor \$50,000
- TRAN00127_05_09_2022 Gen. Fund Free Cash \$222,166.68 to Snow & Ice-Labor \$29,559.88 and Snow & Ice-Expenses \$192,606.80
- ORDR00349_05_09_2022 FY22 Revolving Fund Spending Limit Increase (COTW)
- ORDR00351_05_09_2022 Loan Order \$750,000 Bulkhead Project (COTW)
- ORDR00354_05_09_2022 FY23 CPC Recommendations (COTW) (PARTIAL only the \$216K for Bartlett Mall Design)
- ODNC00110_05_09_2022 Updating Departmental Revolving Funds

PUBLIC SAFETY

- APPL00074_05_09_2022 12th Annual GNOCA 5K Sunday, Sept. 25th 10am-1pm
- APPL00075_05_09_2022 Hoedl-Bilinski Dinner Sat. Oct. 8th 6-9pm (Tent on 69th St 10/7-10/9)
- APPL00076_05_09_2022 High St. Mile Sunday, Aug. 7th (YHC) 9-10am
- APPL00077_05_09_2022 Pride in the Port Saturday, June 11th 12-8pm Market St/Bullnose-Inn Street
- ORDR00357_05_09_2022 USACE Merrimack River Dredging Noise Waiver
- APPT00319_05_09_2022 Jeevan Kowalski Asst. Harbormaster/Shellfish Constable/
*Re-appointment Special Police Officer 5/31/2025
- APPT00320_05_09_2022 Brian Cutler Asst Harbormaster/Shellfish Constable/
*Re-appointment Special Police Officer 5/31/2025.

END OF CONSENT AGENDA

Motion to approve the Consent Agenda amended by Councillor Zeid, seconded by Councillor Vogel. Roll call vote. 11 yes. Motion passes

REGULAR AGENDA

9. MAYOR'S UPDATE

Motion to receive and file by Councillor Zeid, seconded by Councillor McCauley. Roll call vote. 11 yes., Motion passes.

10. FIRST READING APPOINTMENTS

- APPT00326_05_31_2022 **Late File** Bonnie Sontag 10 Upland Rd. Planning Board 6/30/2027
*Re-appointment
- APPT00327_05_31_2022 **Late File** Patricia Peknik 4 Dove St. ZBA 6/30/2023

11. COMMUNICATIONS

- COMM00415_05_31_2022 **Late File** Global Efforts Related to Potential Residential Use of Property 5/22 Update
- COMM00416_05_31_2022 **Late File** Ltr. Mark Harrington re: Drag Queen/NYS
Motion to receive and file by Councillor Preston, seconded by Councillor Khan. Roll call vote. 7 yes, 4 no (SZ, JM, CW, MW). Motion passes.
- COMM00417_05_31_2022 **Late File** Ltr. Jane Snow re: Coffin St.
- APPL00083_05_31_2022 **Late File** Riverfest Saturday, July 23rd 12pm-7pm

12. TRANSFERS

13. SECOND READING APPOINTMENTS

14. ORDERS

- ORDR00358_05_31_2022 Acceptance of Stables - Colby Farm Lane Lot 3
Motion to refer to Planning & Development and COTW by Councillor Zeid, seconded by Councillor Preston. Roll call vote. 11 yes. Motion passes.
- ORDR00359_05_31_2022 Gift Acceptance FONT \$9,000
Motion to refer to Budget & Finance by Councillor Zeid, seconded by Councillor Preston. Roll call vote. 11 yes. Motion passes.

- ORDR00360_05_31_2022 Authorizing City Clerk Contract 2022
Motion to refer to General Government and COTW by Councillor Zeid, seconded by Councillor Preston. Roll call vote. 11 yes. Motion passes.
- ORDR00361_05_31_2022 Free Cash Transfer & Grant Acceptance – LWCF Grant for Bartlet Mall
Motion to refer to Budget & Finance by Councillor Zeid, seconded by Councillor Preston. Roll call vote. 11 yes. Motion passes.
- ORDR00362_05_31_2022 **Late File** Friends of COA Gift Acceptance \$15,700

15. ORDINANCES

- ODNC00105_02_14_2022 **2nd Reading** Zoning Amendment Business Park Uses (COTW)
Councillor Lane recused. Motion to approve on 2nd reading by Councillor Zeid, seconded by Councillor Vogel. Roll call vote. 9 yes, 1 no (MW), 1 recused (BL). Motion passes.
- ODNC00112_05_31_2022 Amendment Brown Sq Way No Parking
Motion to refer collectively ODNC00112, ODNC00113, and ODNC00114 to Public Safety by Councillor Zeid, seconded by Councillor McCauley. Roll call vote. 11 yes. Motion passes.
- ODNC00113_05_31_2022 Amendment Brown Sq Way Drop Off Zone
Motion to refer collectively ODNC00112, ODNC00113, and ODNC00114 to Public Safety by Councillor Zeid, seconded by Councillor McCauley. Roll call vote. 11 yes. Motion passes.
- ODNC00114_05_31_2022 Amended Liberty St Resident Parking
Motion to refer collectively ODNC00112, ODNC00113, and ODNC00114 to Public Safety by Councillor Zeid, seconded by Councillor McCauley. Roll call vote. 11 yes. Motion passes.

16. COMMITTEE ITEMS

Ad Hoc Committee on Economic Development

In Committee:

Ad Hoc Committee on Market Landing Park and COTW

In Committee:

Budget & Finance

In Committee:

- **ORDR00338 04 11 2022 Capital Improvement Program FY2023-2027 (COTW)**
Motion to approve by Councillor Zeid, seconded by Councillor Khan. Roll call vote. 11 yes. Motion passes.
- **TRAN00125 05 09 2022 Health Ins. Stabilization Fund \$60K to INS Health Ins. Premiums \$60K**
Motion to approve by Councillor Zeid, seconded by Councillor Khan. Roll call vote. 11 yes. Motion passes.
- **TRAN00126 05 09 2022 SUS Solid Waste \$50,000 to LGL City Solicitor \$50,000**
- Motion to approve by Councillor Zeid, seconded by Councillor Cameron. Roll call vote. 11 yes. Motion passes.
- **TRAN00127 05 09 2022 Gen. Fund Free Cash \$222,166.68 to Snow & Ice-Labor \$29,559.88 and Snow & Ice-Expenses \$192,606.80**
Motion to approve by Councillor Zeid, seconded by Councillor Cameron. Roll call vote. 11 yes. Motion passes.
- **ORDR00349 05 09 2022 FY22 Revolving Fund Spending Limit Increase (COTW)**
Motion to approve by Councillor Zeid, seconded by Councillor Khan. Motion to amend to reduce to 50K by Councillor McCauley, seconded by Councillor Zeid. Motion withdrawn. Roll call vote. 9 yes, 2 no (SZ, JM). Motion passes.

- **ORDR00351 05 09 2022 Loan Order \$750,000 Bulkhead Project (COTW)**
Motion to waive Rule 7J by Councillor Zeid, seconded by Councillor Khan. Roll call vote. 11 yes. Motion passes.
Motion to approve by Councillor Zeid, seconded by Councillor Cameron. Roll call vote. 11 yes. Motion passes.
- **ORDR00354 05 09 2022 FY23 CPC Recommendations (COTW) (PARTIAL only the \$216K for Bartlett Mall Design)**
Motion to approve by Councillor Zeid, seconded by Councillor Khan. Roll call vote. 11 yes. Motion passes.
- **ODNC00110 05 09 2022 Updating Departmental Revolving Funds**
Motion to approve on 1st reading by Councillor Zeid, seconded by Councillor Khan. Roll call vote. 11 yes. Motion passes.
- ORDR00336_03_28_2022 ARPA Amesbury 250K
- ORDR00355_05_09_2022 Loan Order \$2,574,000 Bartlett Mall Improvements Project
- ORDR00356_05_09_2022 Loan Order \$3,000,000 Market Landing Park Expansion Project
- ORDR00350_05_09_2022 FY2023 Budget Order (COTW)

Education

In Committee:

Councillor Khan noted that Monday, June 6th at 6:30pm there will be a School Committee Community Forum – Culturally Responsive Teaching & Learning – Creating a Culture of Belonging to be held at the Nock Middle School auditorium.

General Government

In Committee:

- COMM00402_04_11_2022 12 Cushing Ave Paper St. Inquiry
- COMM00405_04_11_2022 Mayor's Strategic Plan (COTW)

License & Permits

In Committee:

- ODNC047_01_27_2020 General Ordinance - Short Term Rental Units Rules
- COMM00385_01_31_2022 STRU Fire Sprinkler Systems
- COMM00388_01_31_2022 UPDATED STRU Fire Sprinkler Systems

Neighborhoods & City Services

In Committee:

- COMM299_02_08_2021 Phillips Dr. Neighborhood Committee Ltr
- ODNC00103_01_10_2022 Streets, Sidewalks, and Other Public Places Alterations & Maintenance
- COMM00406_04_11_2022 Pioneer League Letter re: Pickleball

Planning & Development

In Committee:

- ODNC046_01_27_2020 Zoning Amendment Short Term Rental Unit (STRU) (COTW)
- COMM00398_03_28_2022 Memo DHCD MBTA Housing Choice Briefing (COTW)
- APPT00316_04_25_2022 Stephen Moore 10 N. Atkinson St. Conservation Comm. 5/1/2025
- APPT00317_04_25_2022 Lynn Schow 75 High St. ZBA 5/15/2023
- APPT00321_05_09_2022 Charles Aloviseti 60 Bromfield St Conservation Comm. 6/1/2025
- ODNC00111_05_09_2022 Amendment Net Zero Energy Public Projects

Public Safety

In Committee:

- **APPL00074 05 09 2022 12th Annual GNOCA 5K Sunday, Sept. 25th 10am-1pm**
- **APPL00075 05 09 2022 Hoedl-Bilinski Dinner Sat. Oct. 8th 6-9pm (Tent on 69th St 10/7-10/9)**
- **APPL00076 05 09 2022 High St. Mile Sunday, Aug. 7th (YHC) 9-10am**
- **APPL00077 05 09 2022 Pride in the Port Sat., June 11th 12-8pm Market Sq./Bullnose-Inn Street**

Motion to approve collectively APPL00074, APPL00075, APPL00076, and APPL00077 by Councillor McCauley, seconded by Councillor Zeid. Roll call vote. 11 yes. Motion passes.

- **ORDR00357 05 09 2022 USACE Merrimack River Dredging Noise Waiver**
Motion to approve collectively ORDR00357, APPT00319, and APPT00320 by Councillor McCauley, seconded by Councillor Cameron. Friendly amendment by Councillor Zeid to add the language on ORDR00357 to include on the last line “hereby supports the waiving of ODNC 8-101 for the USACE Merrimack River Dredging from September 1, 2022-June 30, 2023” Roll call vote. 11 yes. Motion passes.
- **APPT00319 05 09 2022 Jeevan Kowalski Asst. Harbormaster/Shellfish Constable/**
Re-appointment* **Special Police Officer 5/31/2025
- **APPT00320 05 09 2022 Brian Cutler Asst Harbormaster/Shellfish Constable/**
Re-appointment* **Special Police Officer 5/31/2025

Motion to approve collectively ORDR00357, APPT00319, and APPT00320 by Councillor McCauley, seconded by Councillor Cameron. Friendly amendment by Councillor Zeid to add the language on ORDR00357 to include on the last line “hereby supports the waiving of ODNC 8-101 for the USACE Merrimack River Dredging from September 1, 2022-June 30, 2023” Roll call vote. 11 yes. Motion passes.

- **COMM00396_03_14_2022** Ltr. Stephen Comley
- **COMM00390_02_28_2022** Gregory Caplan Ltr-Low St./Bright Horizons access to Fuller Field
- **APPL00082 05 31 2022 Ride to end ALZ Saturday, June 4th 8am-11am**
Motion to waive the rules, declare an emergency, vote on one reading, and approve by Councillor McCauley, seconded by Councillor Zeid. Roll call vote. 11 yes. Motion passes.

Public Utilities

In Committee:

- **APPT00314_04_25_2022** Daniel A. Simon 11 Jackson St. Water/Sewer Comm. 4/30/2024
- **ORDR00352_05_09_2022** Licensed Contractor Robert Pike Construction, Inc.
- **ORDR00353_05_09_2022** Licensed Contractor Commonwealth and Consulting Co., Inc.

Rules

In Committee:

- **ORDR239_02_8_2021** Council Rule 7 and 10B

17. GOOD OF THE ORDER

18. ADJOURNMENT

Motion to go into Executive Session for the purpose of the following two items:

(1) Pursuant to G.L. c. 30A, s 21 et Exemption #6 of the Open Meeting Law this discussion will relate to the purchase, exchange, lease of value of real property if the chair declared that an open meeting may have a detrimental effect on the negotiating position of the public body. Discussion on Releasing Attorney Client Privilege and the Legal Opinion by KP Law on Short Term Rentals.

(2) Pursuant to G.L.c.30A, s.21 et al Exemption #6 of the Open Meeting Law this discussion will relate to the purchase, exchange, lease of value of real property if the chair declared that an open meeting may have a detrimental effect on the negotiating position of the public body and any draft minutes related thereto. The locus is Coffin Street.

by Councillor Zeid, seconded by Councillor Preston. Council President Shand declared that an open meeting may have a detrimental affect on the matter. Council President Shand noted that the City Council meeting would not be adjourning outside of the Executive Session. Roll call vote. 11 yes. Motion passes.

19. EXECUTIVE SESSION

(1) Pursuant to G.L. c. 30A, s 21 et Exemption #6 of the Open Meeting Law this discussion will relate to the purchase, exchange, lease of value of real property if the chair declared that an open meeting may have a detrimental effect on the negotiating position of the public body. Discussion on Releasing Attorney Client Privilege and the Legal Opinion by KP Law on Short Term Rentals.

(2) Pursuant to G.L.c.30A, s.21 et al Exemption #6 of the Open Meeting Law this discussion will relate to the purchase, exchange, lease of value of real property if the chair declared that an open meeting may have a detrimental effect on the negotiating position of the public body and any draft minutes related thereto. The locus is Coffin Street.

COMMUNICATIONS



RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2022 JUN -1 PM 1:36

CITY OF NEWBURYPORT
60 PLEASANT STREET
NEWBURYPORT, MA 01950

BLOCK PARTY APPLICATION

Please fill out the application below and obtain the approving signatures for the street closure. Mail or drop off the completed signed application at: City Clerk's Office, City Hall, 60 Pleasant Street, Newburyport, MA 01950 **at least eight (8) business days prior** to a City Council meeting. The requested Block Party needs approval by the City Council. For any questions, please contact The City Clerk's Office at (978) 465-4407.

DATE OF REQUEST: May 25, 2022

CONTACT INFORMATION

FIRST AND LAST NAMES: Lindsay McPherson

MAILING ADDRESS: 22 Lafayette Street

PHONE NUMBER: (415) 336-8944

E-MAIL ADDRESS: lindsaymcp@gmail.com

BLOCK PARTY INFORMATION

BLOCK PARTY DATE: Saturday, August 6

DESIRED STREET CLOSING LOCATION: Lafayette Street (High to Highland)
Please indicate cross streets when requesting the closing of street sections

STREET TO BE BARRICADED: Lafayette Street

DESIRED STREET CLOSING TIME: 3:00pm - 10:00pm

Block Parties should run no later than 10:00 p.m.

REGULATIONS

By signing, I agree that I am a legal adult 18 years of age or older and understand this permit does not release me of any liability for damages that may result from the conducting of this Block Party. Further, I agree to comply with all requirements listed below:

I understand that applications for block party permits may take up to four (4) weeks to process.

Block parties will be conducted only on low-volume residential streets, dead-end streets, or cul-de-sacs. No thoroughfares or collector streets may be used.

It is hereby agreed that, by signing and presenting this application, signer(s) represents to the City of Newburyport that the following statements are true and correct, and agrees to and will abide by the following:

1. All residents living on the street or block for which the party is planned request the block party, or have been contacted and do not object to the Block Party.
2. To be responsible for placement, maintenance and removal of barricades.
3. A block party permit does not allow the sale of alcohol or the consumption of alcohol on public property (in city streets, sidewalks, parks, etc.) alcohol is allowed only on private property. All state and city alcohol laws still apply during Block Parties.
4. Amplified music shall be permitted with permission of the City Council.
5. To leave **AT LEAST A TWELVE (12) FOOT AISLE** in the street to permit passage of emergency vehicles or vehicles of residents. Failure to maintain a ten (10) foot aisle during the entire period of the party will necessitate denial of requests for subsequent block parties. **Public safety personnel will monitor the party for strict adherence to this rule.**
6. To maintain adult supervision at all times during the party.
7. Applicant(s) shall be responsible for the pick-up of trash and garbage within two (2) hours of the end of the party.
8. Streets may not be barricaded later than 10:00 P.M.
9. No residents of the area designated shall be prohibited from attending the party.
10. No such activity may be conducted within five hundred (500) feet of any school, church, hospital, nursing home or similar operation unless endorsed by the management of such institution.
11. Only approved readily removable Barricades will be permitted such as orange cones and sawhorses with a sign. No vehicles will be permitted to be used as a Barricade.
12. Block parties are permitted 10 A.M. – 10 P.M.

Applicant signature:  Date: 5/25/22

APPROVAL SIGNATURES REQUIRED FOR STREET CLOSURE

CITY MARSHALL
4 Green Street

 5/31/22


FIRE CHIEF
0 Greenleaf Street

Dep SHB 5/27/22

DEPUTY DIRECTOR
16A Perry Way



CITY CLERK
60 Pleasant Street



City use only:

Approved _____ Denied _____ Date _____

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

NEWBURYPORT SPECIAL EVENT APPLICATION

Tel. _____

Fax. _____

2022 JUN -1 PM 3:39

(For Street Closure or Any Use of a Public Way - Please complete page 3 of this application)

NAME OF EVENT: WATERFRONT CONCERT (215TH ARMY BAND)

Date: 7/4/22 - 7/5/22 Time: from 10 AM to 8 PM

Rain Date: _____ Time: from _____ to _____

2. Location*: WATERFRONT PARK, MERRIMACK ST.

*Please Note: If the location is a public park or the rail trail, please also contact the Parks Department

3. Description of Property: _____ Public Private _____

4. Name of Organizer: DENNIS PALAZZO City Sponsored Event: Yes _____ No

Contact Person DENNIS PALAZZO

Address: 67 OLD ROWLEY RD. 01951 Telephone: 978 417-6118

E-Mail: KARATEKID5THC AOL.COM Cell Phone: _____

Day of Event Contact & Phone: DENNIS PALAZZO

5. Number of Attendees Expected: 1000

6. MA Tax Number: _____

7. Is the Event Being Advertised? YES Where? LOCAL

8. What Age Group is the Event Targeted to? FAMILY

9. Have You Notified Neighborhood Groups or Abutters? Yes _____ No , Who? _____

ACTIVITIES: (Please check where applicable.) Subject to Licenses & Permits from Relevant City Departments

A. Vending*: Food Beverages Alcohol _____ Goods Total # of Vendors 10

*If checked, signature from Health Director required (Page 3)

B. Entertainment: (Subject to City's Noise Ordinance.) Live Music DJ _____ Radio/CD _____

Performers _____ Dancing _____ Amplified Sound Stage

C. Games /Rides: Adult Rides _____ Kiddie Rides _____ Games _____ Raffle _____

Other _____ Total # _____

Name of Carnival Operator: _____

Address: _____

Telephone: _____

D. Organizer is responsible for clean-up during and after event. All trash must be collected and removed from event location immediately at the end of the event unless prior written agreement had been made with the Department of Public Services (DPS).

Will you be conducting the clean-up for this event? Yes No _____

FOR STREET CLOSURE OR ANY USE OF A PUBLIC WAY

PARADE _____

ROAD RACE _____

WALKATHON _____

1. Name of the Group or Person Sponsoring the Road Race, Parade, Walkathon:

2. Name, Address & Daytime Phone Number of Organizer:

3. Name, Address & 24/7 Telephone Number of Person Responsible for Clean Up

4. Date of Event: _____ Expected Number of Participants: _____

5. Start Time: _____ Expected End Time: _____

6. Road Race, Parade or Walkathon Route: (List street names & **attach map of route**):

7. Locations of Water Stops (if any):

8. Will Detours for Motor Vehicles Be Required? _____ If so, where? _____

9. Formation Location & Time for Participants:

10. Dismissal Location & Time for Participants:

11. Additional Parade Information:

- Number of Floats: _____
- Locations of Viewing Stations: _____
- Are Weapons Being Carried: Yes _____ No _____
- Are Marshalls Being Assigned to Keep Parade Moving: Yes _____ No _____

APPROVAL SIGNATURES REQUIRED FOR STREET CLOSURE OR ANY USE OF A PUBLIC WAY

CITY MARSHAL [Signature] 4 Green St. FIRE CHIEF [Signature] 0 Greenleaf St.

DEPUTY DIRECTOR [Signature] 16A Perry Way CITY CLERK [Signature] 60 Pleasant St.

HEALTH DIRECTOR [Signature] 60 Pleasant St. (only needed when Food & Beverage Vendors are included in the event)

a list of all streets notified shall be provided to the city clerk to be date stamped and appended to the application record. Press releases and other media type notifications are encouraged.

(6) *Insurance.* All events shall have an insurance policy or rider in effect for the event naming the "City of Newburyport" as an additional insured. The policy shall be no less than two million dollars (\$2,000,000.00).

(7) *Event termination.* If in the judgment of the city marshal, fire chief or department of public services (DPS) director or designees thereof determine that an event is unsafe due to existing conditions, that event may be stopped, terminated or suspended. In the case of a multidiscipline event such as a triathlon, the harbormaster or his/her designee may likewise stop, terminate or suspend the swimming portion for cause.

(8) *Event and traffic security.* The city marshal, fire chief, DPS director or in the case of a triathlon, the harbormaster can require special duty personnel to assist in the organizing and coordinating the safety and security of the event. All special duty assignments will be paid by the event organizers.

(9) *Clean-up.* The event organizers shall be responsible for post event trash collection, removal of signage, directional arrows, advertisements or other promotional material associated with the event.

(10) *Parking.* The event organizers shall be responsible for including parking instructions in materials disseminated to event participants. If the event is happening within one-half mile of municipal parking, then participants shall be asked to park at such parking facilities.

(11) *Notification of previous event organizers.* To the extent reasonably possible, the city clerk shall notify all event organizers from events held from 2014—2016, inclusive, by a one-time phone, email, or letter of the new application timeline and other requirements.

(12) *Simplification.* Departments are encouraged to unify their respective applications into a singular application, managed and distributed by the city clerk's office.

(13) *Americans with Disabilities Act.* Event organizers are reminded of the importance of and expectation of adherence to the Americans with Disabilities Act of 1990 (42 U.S.C § 12101) and subsequent applicable amendments.

(e) *Enforcement.*

(1) *Regulations.* Consistent with this section, the city shall promulgate regulations to enforce and otherwise implement the provisions of this section upon passage by the city council. Any event previously approved by city council shall be deemed permitted.

(2) *Warning.* In the circumstance that this section is violated, the enforcement may consist of a warning. Any warnings issued for violation(s) will be reported to the city clerk and city council and may be used as a factor in future application approvals and denials.

(3) *Noncriminal disposition.* If the city determines that a violation has occurred in which a noncriminal violation is issued, the named event organizer shall be penalized by a non-criminal disposition as provided in Massachusetts General Law as adopted by the City of Newburyport as a general ordinance in section 1-17 of chapter 1 of the Code or Ordinances of the City of Newburyport in the amounts set herein in subsection (e)(4) below.

(4) *Violation.* The non-criminal violation shall be one hundred dollars (\$100.00) for the first offense and two hundred fifty dollars (\$250.00) for second and subsequent offenses. Any non-criminal citations issued for violation(s) will be reported to the city clerk and city council and shall be used as a factor in future application approvals and denials.

(5) *Failure to notify.* If the event fails to notify residents and provide documentation to the city clerk, pursuant to subsection (d)(5) above, shall render that organization ineligible to receive an event permit for a period of twelve (12) months unless special leave is granted by two-thirds supervote of the city council.

I fully understand and agree to all the terms set forth in this application. The information that I have provided is truthful and accurate. I accept all responsibility related to this event.

Signed: _____

Date: _____

5-9-22



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
6/1/2022

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

| | | |
|--|---|------------------------|
| PRODUCER Eastern Insurance Group LLC 233 West Central St Natick MA 01760 | CONTACT NAME: Select Department PHONE (A/C, No, Ext): 800-333-7234 FAX (A/C, No): 781-586-8244 E-MAIL ADDRESS: selectwork@easterninsurance.com | |
| | INSURER(S) AFFORDING COVERAGE | |
| INSURED GREANEW-03 Greater Newburyport Chamber of Commerce Newburyport Chamber of Commerce 38 R Merrimac Street Newburyport MA 01950 | INSURER A: Norguard Insurance Company | NAIC # 31470 |
| | INSURER B: Philadelphia Indemnity Insurance Company | NAIC # 18058 |
| | INSURER C: | |
| | INSURER D: | |
| | INSURER E: | |
| INSURER F: | | |

COVERAGES

CERTIFICATE NUMBER: 1648961183

REVISION NUMBER:


THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

| INSR LTR | TYPE OF INSURANCE | ADDL INSD | SUBR WVD | POLICY NUMBER | POLICY EFF (MM/DD/YYYY) | POLICY EXP (MM/DD/YYYY) | LIMITS |
|----------|---|-----------|----------|---------------|-------------------------|-------------------------|--|
| B | <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER: | Y | | PHPK2312243 | 8/5/2021 | 8/5/2022 | EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 \$ |
| B | <input type="checkbox"/> AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO OWNED AUTOS ONLY <input checked="" type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS NON-OWNED AUTOS ONLY | | | PHPK2312243 | 8/5/2021 | 8/5/2022 | COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$ |
| | <input type="checkbox"/> UMBRELLA LIAB <input type="checkbox"/> EXCESS LIAB OCCUR CLAIMS-MADE DED RETENTION \$ | | | | | | EACH OCCURRENCE \$ AGGREGATE \$ \$ |
| A | WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below | Y/N N | N/A | GRWC332958 | 4/23/2022 | 4/23/2023 | <input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$ 100,000 E.L. DISEASE - EA EMPLOYEE \$ 100,000 E.L. DISEASE - POLICY LIMIT \$ 500,000 |

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Non-Profit Organization
 Event: July 4th & 5th.
 Live Music and Cultural Celebration
 Waterfront Park
 All Day both Days
 City of Newburyport is additional insured for General Liability where required by written contract or agreement.

CERTIFICATE HOLDER**CANCELLATION**

| | |
|---|---|
| Greater Newburyport Chamber of Commerce | SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE  |
|---|---|

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NEWBURYPORT SPECIAL EVENT APPLICATION

RECEIVED
CITY OFFICE
NEWBURYPORT, MA

Tel.

Fax.

(For Parades, Road Races and Walkathons Only - Please complete page 3 of this application)

2022 JUN -6 AM 11:51

NAME OF EVENT: 19th Annual Chocolate Tour

Date: October 1, 2022 (Saturday) Time: from 12:00 PM to 4:00 PM
 Rain Date: NONE Time: from _____ to _____

2. Location: Start of Tour: First Religious Society Church, Pleasant St

3. Description of Property: Use of sidewalk and Social Hall Public Private _____

4. Name of Organizer: Central Congregational Church City Sponsored Event: Yes _____ No

Contact Person Diane Hawkins-Clark

Address: 14 Titcomb St, Newburyport MA Telephone: 978-465-0533

E-Mail: clarkj@comcast.net Cell Phone: 978-729-2263 (Primary Phone #)

Day of Event Contact & Phone: Diane Hawkins-Clark 978-729-2263

5. Number of Attendees Expected: 100 Volunteers, 300+ event ticket holders

6. MA Tax Number: 222 520 650 EXP 1/2/29 (Central Congregational Church)

7. Is the Event Being Advertised? YES Where? Local and regional news media, Chamber of Commerce, Social Media, Fliers, Banners, Newspapers

8. What Age Group is the Event Targeted to? Families, Adults

9. Have You Notified Neighborhood Groups or Abutters? Yes _____ No , Who? _____
 Not Applicable

ACTIVITIES: (Please check where applicable.) Subject to Licenses & Permits from Relevant City Departments

Not Applicable

A. Vending: Food _____ Beverages _____ Alcohol _____ Goods _____ Total # of Vendors _____

B. Entertainment: (Subject to City's Noise Ordinance.) Live Music _____ DJ _____ Radio/CD _____
 Performers _____ Dancing _____ Amplified Sound _____ Stage _____

C. Games /Rides: Adult Rides _____ Kiddie Rides _____ Games _____ Raffle _____
 Other _____ Total # _____

Name of Carnival Operator: _____

Address: _____

Telephone: _____

D. Organizer is responsible for clean-up during and after event. All trash must be collected and removed from event location immediately at the end of the event unless prior written agreement had been made with the Department of Public Services (DPS).

Will you be conducting the clean-up for this event? Yes No _____ **Balloons, minimal trash**

FOR PARADE, ROAD RACE AND WALKATHON EVENTS ONLY

PARADE _____

ROAD RACE _____

WALKATHON _____

1. Name of the Group or Person Sponsoring the Road Race, Parade, Walkathon:

CENTRAL CONGREGATIONAL CHURCH

2. Name, Address & Daytime Phone Number of Organizer: _____

Diane Hawkins-Clark (Co-Chair) 978-729-2263

Erin Kenega (Co-Chair) 203-216-6827

3. Name, Address & 24/7 Telephone Number of Person Responsible for Clean Up _____

Diane Hawkins-Clark (Co-Chair) 978-729-2263

Erin Kenega (Co-Chair) 203-216-6827

4. Date of Event: October 1, 2022 Expected Number of Participants: 300-400 throughout the day

5. Start Time: 12:00 PM Expected End Time: 4:00 PM

6. Road Race, Parade or Walkathon Route: (List street names & **attach map of route**): _____

19th Annual Event: Ticket holders start on Pleasant St, visiting participating stores/businesses, and travel down State St, then head over to the Tannery to complete their tour (24-30 stores will be participating)

7. Locations of Water Stops (if any): None

8. Will Detours for Motor Vehicles Be Required? No If so, where? _____

9. Formation Location & Time for Participants: Pleasant St, Newburyport 11:30 AM 1st shift of volunteers
1:30 PM 2nd shift of volunteers

10. Dismissal Location & Time for Participants: Pleasant St, Newburyport 4:00 PM

11. Additional Parade Information: None

• Number of Fleets: _____

• Locations of Viewing Stations: _____

• Are Weapons Being Carried: Yes _____ No _____

• Are Marshalls Being Assigned to Keep Parade Moving: Yes _____ No _____

APPROVAL SIGNATURES REQUIRED FOR STREET CLOSURE OR ANY USE OF A PUBLIC WAY.

CITY MARSHAL [Signature] 4 Green St. FIRE CHIEF [Signature] 5/26/22 0 Greenleaf St.

DEPUTY DIRECTOR [Signature] 16A Perry Way CITY CLERK [Signature] 60 Pleasant St.

HEALTH DIRECTOR [Signature] 60 Pleasant St. (only needed when Food & Beverage Vendors are included in the event)

- (e) *"Road Closure"* No ways, public or private, boat ramps or parking lots controlled or patrolled by the city shall be closed without authorization. Authorization shall be considered granted only if said closure(s) are contained in the approved permit. It is the sole responsibility of the race organizers to notify residents ten (10) days in advance that neighborhood roads will be closed if no alternate route is available to those residents.
- (f) *"Insurance"* All events shall have an insurance policy or rider in effect for the event naming the "City of Newburyport" as an insured. The policy shall be no less than two million dollars (\$2,000,000.00).
- (g) *"Event termination"* If in the judgment of the City Marshal, Fire Chief or Department of Public Services (DPS) Director or designees thereof determine that an event is unsafe due to existing conditions, that event may be stopped, terminated or suspended. In the case of a multidiscipline event such as a triathlon, the Harbormaster or his/her designee may likewise stop, terminate or suspend the swimming portion for cause.
- (h) *"Event and traffic Security"* The City Marshal, Fire Chief, DPS Director or in the case of a triathlon, the Harbormaster can require special duty personnel to oversee the safety and security of the event. All special duty assignments will be paid by the event organizers.
- (i) *"Clean-up"* The event organizers shall be responsible for post event trash collection, removal of signage, directional arrows, advertisements or other promotional material associated with the event.

13-101 Enforcement

- (a) *"Regulations"* Consistent with this ordinance, the city shall promulgate regulations to enforce and otherwise implement the provisions of this ordinance upon passage by the City Council. Any event previously approved by City Council shall be deemed permitted.
- (b) *"Warning"* In the circumstance that this ordinance is violated, the enforcement may consist of a warning. Any warnings issued for violation(s) will be reported to the City Clerk and City Council and may be used as a factor in future application approvals and denials.
- (c) *"Noncriminal Disposition"* If the city determines that a violation has occurred in which a noncriminal violation is issued, the named event organizer shall be penalized by a non-criminal disposition as provided in Massachusetts General Law as adopted by the City of Newburyport as a general ordinance in Subsection 1-17 of Chapter 1 of the Code or Ordinances of the City of Newburyport in the amounts set herein in 13-101(d)
- (d) *"Violation"* The non-criminal violation shall be \$100.00 for the first offense and \$250.00 for second and subsequent offenses. Any non-criminal citations issued for violation(s) will be reported to the City Clerk and City Council and shall be used as a factor in future application approvals and denials.

I fully understand and agree to all the terms set forth in this application. The information that I have provided is truthful and accurate. I accept all responsibility related to this event.

Signed: Diane H. Clark **Date:** 5/4/2022



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

6/1/2022

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

| | | |
|--|------------------------------------|-----------------------------|
| PRODUCER Marsh & McLennan Agency LLC One South Jefferson Street Roanoke VA 24011 | CONTACT NAME: _____ | |
| | PHONE (A/C, No, Ext): _____ | FAX (A/C, No): _____ |
| E-MAIL ADDRESS: _____ | | |
| INSURER(S) AFFORDING COVERAGE | | NAIC # |
| INSURER A : Lexington Insurance Company | | 19437 |
| INSURER B : Lexington Insurance Company | | 19437 |
| INSURER C : _____ | | |
| INSURER D : _____ | | |
| INSURER E : _____ | | |
| INSURER F : _____ | | |

INSURED JAMESSTEW1
 P025800 CENTRAL CONGREGATIONAL CHURCH
 PO BOX 372
 NEWBURYPORT, MA 01950

COVERAGES **CERTIFICATE NUMBER:** 395574666 **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

| INSR LTR | TYPE OF INSURANCE | ADDL INSD | SUBR WVD | POLICY NUMBER | POLICY EFF (MM/DD/YYYY) | POLICY EXP (MM/DD/YYYY) | LIMITS | |
|----------|---|-----------|----------|------------------------|-------------------------|-------------------------|---|--------------|
| | | | | | | | | |
| A B | <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER: _____ | N | | 011971558 048409888 | 1/1/2022 1/1/2022 | 1/1/2023 1/1/2023 | EACH OCCURRENCE | \$ 2,000,000 |
| | | | | | | | DAMAGE TO RENTED PREMISES (Ea occurrence) | \$ 1,000,000 |
| | | | | | | | MED EXP (Any one person) | \$ 10,000 |
| | | | | | | | PERSONAL & ADV INJURY | \$ 2,000,000 |
| | | | | | | | GENERAL AGGREGATE | \$ 5,000,000 |
| | | | | | | | PRODUCTS - COMP/OP AGG | \$ 5,000,000 |
| | | | | | | | | \$ |
| | AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS ONLY | | | | | | COMBINED SINGLE LIMIT (Ea accident) | \$ |
| | | | | | | | BODILY INJURY (Per person) | \$ |
| | | | | | | | BODILY INJURY (Per accident) | \$ |
| | | | | | | | PROPERTY DAMAGE (Per accident) | \$ |
| | | | | | | | | \$ |
| | <input type="checkbox"/> UMBRELLA LIAB <input type="checkbox"/> EXCESS LIAB | | | | | | EACH OCCURRENCE | \$ |
| | | | | | | | AGGREGATE | \$ |
| | | | | | | | | \$ |
| | WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below | Y/N | N/A | | | | PER STATUTE | OTH-ER |
| | | | | | | | E.L. EACH ACCIDENT | \$ |
| | | | | | | | E.L. DISEASE - EA EMPLOYEE | \$ |
| | | | | | | | E.L. DISEASE - POLICY LIMIT | \$ |

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
 Please contact your Insurance Board Agent, Jim Stewart at 413-788-4531 for questions regarding your Certificate of Insurance. If you would like to speak to someone at the Insurance Board, please call 800-437-8830.

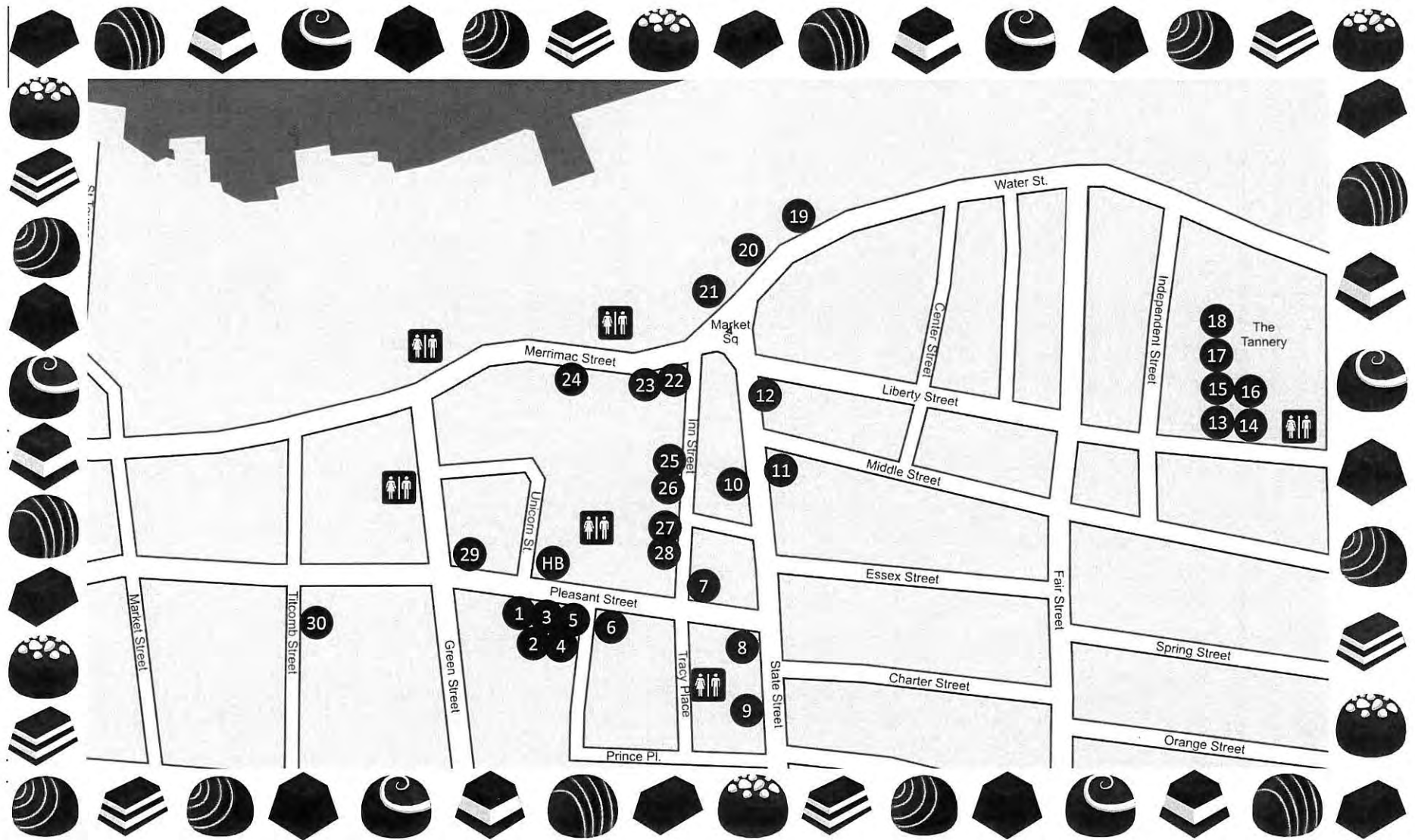
RE: 10/01/2022 Chocolate Tour

Certificate Holder, City of Newburyport, is named as Additional Insured.

CERTIFICATE HOLDER **CANCELLATION**

| | |
|---|---|
| The City of Newburyport 60 Pleasant St Newburyport MA 01950 | SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE <i>Hendric Perry</i> |
|---|---|

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- | | | | | |
|----------------------------|-------------------------|---|--------------------------|------------------------------------|
| (HB) Home Base | (7) The Candy Man | (13) Beach Plum Flower Shop | (19) Coastal Chic | (25) The Wild Clover |
| (1) A Pleasant Street Shop | (8) Richdale Food Store | (14) Black Duck Market and Deli | (20) Vaalbara Supply | (26) WSM Talent |
| (2) BC Essentials | (9) Life is Good | (15) Chococoa Baking Company | (21) Greetings by Design | (27) The Angry Donut |
| (3) Design of Mine | (10) Nauti Pearl | (16) Port Plums & Newburyport Olive Oil | (22) Brass Lyon | (28) Native Sun |
| (4) Lolo Poke | (11) Soak | (17) Quinn's Canine Cafe | (23) Dolce Freddo Gelato | (29) Polished Salon Spa & Boutique |
| (5) Pretty Poppy | (12) Starbucks | (18) WishBasket | (24) Paper Moon | (30) Garrison Inn |

NEWBURYPORT SPECIAL EVENT APPLICATION

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

Tel.

Fax.

(For Street Closure or Any Use of a Public Way - Please complete page 3 of this application)

2022 JUN -7 PM 1:33

NAME OF EVENT: Walk Against Domestic ViolenceDate: Sunday, October 2nd, 2022 Time: from 8:00 am to 11:00 am

Rain Date: _____ Time: from _____ to _____

2. Location*: Start/end at Newburyport Waterfront

*Please Note: If the location is a public park or the rail trail, please also contact the Parks Department

3. Description of Property: Newburyport Waterfront Park, 3.1 mile walk Public Private _____4. Name of Organizer: Jeanne Geiger Crisis Center City Sponsored Event: Yes _____ No Contact Person Lily CraggAddress: 2 Harris Street, Newburyport MA 01950 Telephone: 978-465-0999E-Mail: lcragg@jeannegeiger.org Cell Phone: 603-380-1841Day of Event Contact & Phone: Lily Cragg 603-380-18415. Number of Attendees Expected: 200-4006. MA Tax Number: 22-24748237. Is the Event Being Advertised? Yes Where? Online (social media, email blasts), postcards, press release8. What Age Group is the Event Targeted to? all ages9. Have You Notified Neighborhood Groups or Abutters? Yes No _____, Who? applying for permits with
Waterfront Park, and Parks & Rec.

ACTIVITIES: (Please check where applicable.) Subject to Licenses & Permits from Relevant City Departments

A. Vending*: Food _____ Beverages _____ Alcohol _____ Goods _____ Total # of Vendors _____

*If checked, signature from Health Director required (Page 3)

B. Entertainment: (Subject to City's Noise Ordinance.) Live Music DJ _____ Radio/CD _____Performers _____ Dancing _____ Amplified Sound Stage _____

C. Games /Rides: Adult Rides _____ Kiddie Rides _____ Games _____ Raffle _____

Other _____ Total # _____

Name of Carnival Operator: _____

Address: _____

Telephone: _____

D. Organizer is responsible for clean-up during and after event. All trash must be collected and removed from event location immediately at the end of the event unless prior written agreement had been made with the Department of Public Services (DPS).

Will you be conducting the clean-up for this event? Yes No _____

If yes:

- a) How many trash receptacles will you be providing? N/A
- b) How many recycling receptacles will you be providing? N/A
- c) Will you be contracting for disposal of : **Trash** Yes _____ No x **Recycling** Yes _____ No x
- i. If yes, size of dumpster(s): **Trash** _____ **Recycling** _____
- ii. Name of disposal company: **Trash** _____ **Recycling** _____
- iii. If no, will you remove trash & recycling with organizers' cars or trucks? Yes _____ No _____
- iv. If no, where will the trash & recycling be disposed ? _____

If no:

- a) # of trash container(s) to be provided by DPS existing barrels will suffice
- b) # of recycling container(s) to be provided by Recycling Office " "
- c) \$45.00/hr/DPS employee charge must be paid by the organizer to DPS in advance of the event (Fee for Special Events). The hours required for the event will be determined by DPS.

All fees must be paid prior to the event. Check or money order is payable to the City

of Newburyport. E. Portable Toilets: (Each cluster of portable toilets must include at least one ADA accessible toilet)

_____ Standard # _____ ADA accessible

Name of company providing the portable toilets: N/A, We will provide extra toilet paper for public restrooms as we have done in past years.

FOR STREET CLOSURE OR ANY USE OF A PUBLIC WAY

PARADE _____

ROAD RACE _____

WALKATHON x

1. Name of the Group or Person Sponsoring the Road Race, Parade, Walkathon:
31st Annual Walk Against Domestic Violence

2. Name, Address & Daytime Phone Number of Organizer:
Jeanne Geiger Crisis Center (Development Associate- Lily Cragg: 603-380-1841)

2 Harris Street, Newburyport MA 01950

email address: lcragg@jeannegeiger.org, secondary point of contact Kelly Majewski kmajewski@jeannegeiger.org

3. Name, Address & 24/7 Telephone Number of Person Responsible for Clean Up
Same as above

4. Date of Event: Sunday, October 2nd, 2022 Expected Number of Participants: 200-400 people

5. Start Time: 8:00 am Expected End Time: 11:00 am

6. Road Race, Parade or Walkathon Route: (List street names & **attach map of route**):

Route updated to incorporate rail trail that runs from High Street to Water Street, parallel to Broomfield Street. Please see map attached

7. Locations of Water Stops (if any): March's Hill High Street, Newburyport MA

8. Will Detours for Motor Vehicles Be Required? no If so, where? _____

9. Formation Location & Time for Participants: Waterfront Park 8:00 am registration, 9:00 am walk start time

10. Dismissal Location & Time for Participants: Route ends at Waterfront Park between 10:00 am- 11:00 am

11. Additional Parade Information:

• Number of Floats: N/A

• Locations of Viewing Stations: N/A

• Are Weapons Being Carried: Yes _____ No x

Volunteers and staff will serve as marshalls to direct walkers along route.

• Are Marshalls Being Assigned to Keep Parade Moving: Yes x No _____

APPROVAL SIGNATURES REQUIRED FOR STREET CLOSURE OR ANY USE OF A PUBLIC WAY

CITY MARSHAL [Signature] 6/3/22 4 Green St.

FIRE CHIEF [Signature] 6/3/22 0 Greenleaf St.

DEPUTY DIRECTOR [Signature] 6-3-22 16A Perry Way

CITY CLERK [Signature] 60 Pleasant St.

HEALTH DIRECTOR _____ 60 Pleasant St. (only needed when Food & Beverage Vendors are included in the event)

DEPARTMENT APPROVAL (for Committee Member use only):

It will be necessary for you to obtain permits or certificates from the following Departments: Please note that costs for some City support services during an event are an estimate only. Some Departments may forward an invoice for services rendered at the completion of the event, and others may require advance payment.

| Approval Required | Date: _____ | Signature _____ |
|----------------------|--|-----------------------------------|
| ___ | 1. Special Events: _____ | |
| ___ | 2. Police: _____ | |
| | Is Police Detail Required: _____ | # of Details Assigned: _____ |
| ___ | 3. Traffic, Parking & Transportation: _____ | |
| ___ | 4. ISD/Health: _____ | |
| ___ | 5. Recycling: _____ | |
| ___ | 6. ISD/Building: _____ | |
| ___ | 7. Electrical: _____ | |
| ___ | 8. Fire: <u>NA</u> | |
| | Is Fire Detail Required: <u>NA</u> | # of Details Assigned: <u>NA</u> |
| ___ | 9. Public Works: <i>Fee for Special Events: \$45/hr/DPS employee for trash handling/staging etc. may apply</i> | |
| | Yes: \$ _____ due on _____ | No Fee for Special Events applies |
| | Other requirements/instructions per DPS _____ | |
| ___ | 10. Parks Department: _____ | |
| ___ | 11. License Commission _____ | |

The departments listed above have their own application process.
Applicants are responsible for applying for and obtaining all required
permits & certificates from the various individual departments

Sec. 13-97. - Road races, walkathons, bicycle and other multidisciplined events.

(a) *Short title.* This section may be cited as the "road races, walkathons and bicycle events."

(b) *Purpose and intent.* The use of city streets and sidewalks for the purpose of road races, walkathons or bicycle tours are positive events that promote exercise, general good health and Newburyport as a destination. These events do from time to time create hardships, impacting neighborhoods and traffic. To create a balance between conflicting interests, by safeguarding participants, residents, visitors and the City of Newburyport, this section will define and codify the procedure for the benefit of all.

(c) *Definitions.*

(1) *Road race.* A competitive or non-competitive running event that utilizes the streets, sidewalks and/or crosses over streets or sidewalks within city limits and in which an entry fee is required or charitable donation is solicited or suggested.

(2) *Walkathon.* A competitive or non-competitive walk event that utilizes the streets, sidewalks and/or crosses over streets or sidewalks within city limits and in which an entry fee is required or charitable donation is solicited or suggested.

(3) *Bicycle race.* A competitive or non-competitive bicycling event that utilizes the streets, sidewalks and/or crosses over streets or sidewalks within city limits and in which an entry fee is required or charitable donation is solicited or suggested.

(4) *Multidisciplined event.* A competitive or non-competitive event requiring or offering running, walking, biking, swimming or any combination thereof in which an entry fee is required or a charitable donation is solicited or suggested.

(5) *Event.* Any road race, walkathon, bicycle race, multi-disciplined event as defined above.

(d) *Limitations.*

(1) *Procedure.* All events shall, through that event's organizer, board of directors, charity foundation or designee ("organizer") apply for city council authorization to hold the event through the office of the city clerk no later than sixty (60) days before the event's proposed date. There shall be a grace period through December 31, 2017, during which applications will be accepted beyond the prescribed due date. Prior to application with the city council, the event shall file and receive approval from all applicable city departments, boards, and commissions. Copies of such approved applications, including along with documentation of any fees, donations, in-kind donations paid as part of said application(s), shall be included as part of the city council application.

The date of application is the date a completed application is submitted to the city clerk's office and stamped by the same. The city clerk, upon review of the completed form, will place the application on the next regular city council agenda, even if such submission is a late file. Upon following the procedures of the council, as deemed appropriated in the sole judgment of the council, the application will be considered approved if the council votes favorably by majority. The application shall name one (1) person responsible on the application and shall provide contact information to include name, address, email address, and telephone number.

(2) *Exemptions.* Each event organizer or organization shall comply with this ordinance and no exemptions will be permitted.

(3) *Course map.* All applications shall be accompanied by a legible, precise course map showing the event route, water stops, refreshment stops, and so-called "port-a-potties". The course map shall also include any road closures, detours and parking areas. The course map shall be approved by police, fire, department of public services, parks commission and harbor masters departments prior to submission to the city clerk.

(4) *Electronic amplifier.* Electronic amplifiers, loudspeakers and bullhorn use shall be requested at time of application. Under no circumstances will they be used for public address announcements or music before 8:00 a.m., except for Sundays when electronic amplifiers, loud speakers or bullhorns will not be used for public address announcements or music before 9:00 a.m.

(5) *Road closure.* No ways, public or private, boat ramps or parking lots controlled or patrolled by the city shall be closed without authorization. Authorization shall be considered granted only if said closure(s) are contained in the approved permit. It is the sole responsibility of the race organizers to notify residents fourteen (14) days in advance that neighborhood roads will be closed if no alternate route is available to those residents. Notification shall be made by race organizers by informational packet drop-off at all residences that may be impacted, including, but not limited to, road closures, restricted driveway access, parking restrictions, or noise. In the case of multi-family residences with so-called security doors, notification will be sufficient at said security door. A copy of the notification shall be provided to the city clerk and, when possible, posted on the city website and distributed via email. Further,

a list of all streets notified shall be provided to the city clerk to be date stamped and appended to the application record. Press releases and other media type notifications are encouraged.

(6) *Insurance.* All events shall have an insurance policy or rider in effect for the event naming the "City of Newburyport" as an additional insured. The policy shall be no less than two million dollars (\$2,000,000.00).

(7) *Event termination.* If in the judgment of the city marshal, fire chief or department of public services (DPS) director or designees thereof determine that an event is unsafe due to existing conditions, that event may be stopped, terminated or suspended. In the case of a multidiscipline event such as a triathlon, the harbormaster or his/her designee may likewise stop, terminate or suspend the swimming portion for cause.

(8) *Event and traffic security.* The city marshal, fire chief, DPS director or in the case of a triathlon, the harbormaster can require special duty personnel to assist in the organizing and coordinating the safety and security of the event. All special duty assignments will be paid by the event organizers.

(9) *Clean-up.* The event organizers shall be responsible for post event trash collection, removal of signage, directional arrows, advertisements or other promotional material associated with the event.

(10) *Parking.* The event organizers shall be responsible for including parking instructions in materials disseminated to event participants. If the event is happening within one-half mile of municipal parking, then participants shall be asked to park at such parking facilities.

(11) *Notification of previous event organizers.* To the extent reasonably possible, the city clerk shall notify all event organizers from events held from 2014—2016, inclusive, by a one-time phone, email, or letter of the new application timeline and other requirements.

(12) *Simplification.* Departments are encouraged to unify their respective applications into a singular application, managed and distributed by the city clerk's office.

(13) *Americans with Disabilities Act.* Event organizers are reminded of the importance of and expectation of adherence to the Americans with Disabilities Act of 1990 (42 U.S.C § 12101) and subsequent applicable amendments.

(e) *Enforcement.*

(1) *Regulations.* Consistent with this section, the city shall promulgate regulations to enforce and otherwise implement the provisions of this section upon passage by the city council. Any event previously approved by city council shall be deemed permitted.

(2) *Warning.* In the circumstance that this section is violated, the enforcement may consist of a warning. Any warnings issued for violation(s) will be reported to the city clerk and city council and may be used as a factor in future application approvals and denials.

(3) *Noncriminal disposition.* If the city determines that a violation has occurred in which a noncriminal violation is issued, the named event organizer shall be penalized by a non-criminal disposition as provided in Massachusetts General Law as adopted by the City of Newburyport as a general ordinance in section 1-17 of chapter 1 of the Code or Ordinances of the City of Newburyport in the amounts set herein in subsection (e)(4) below.

(4) *Violation.* The non-criminal violation shall be one hundred dollars (\$100.00) for the first offense and two hundred fifty dollars (\$250.00) for second and subsequent offenses. Any non-criminal citations issued for violation(s) will be reported to the city clerk and city council and shall be used as a factor in future application approvals and denials.

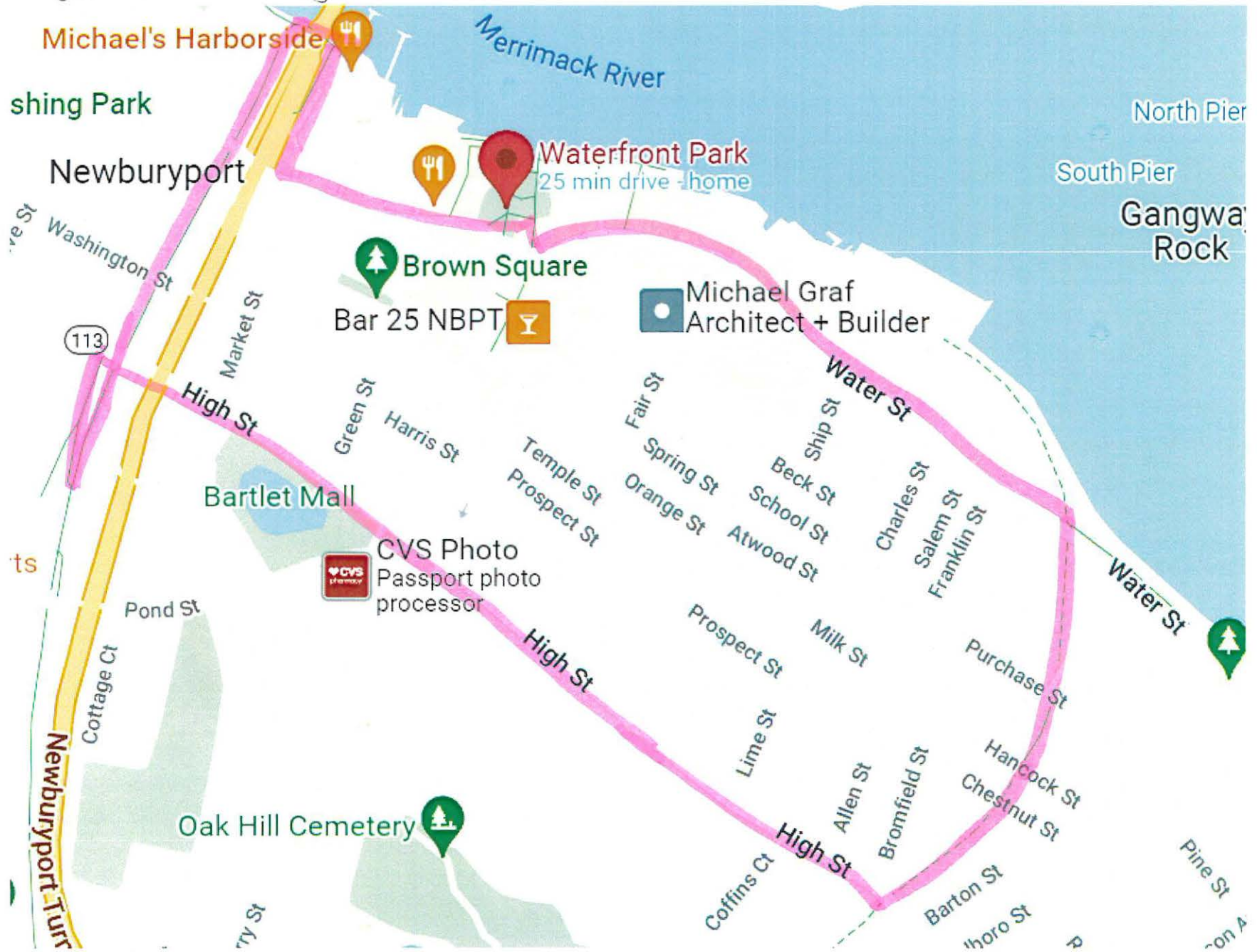
(5) *Failure to notify.* If the event fails to notify residents and provide documentation to the city clerk, pursuant to subsection (d)(5) above, shall render that organization ineligible to receive an event permit for a period of twelve (12) months unless special leave is granted by two-thirds supervote of the city council.

I fully understand and agree to all the terms set forth in this application. The information that I have provided is truthful and accurate. I accept all responsibility related to this event.

Signed: Suzanne Curtis

Date: 6/7/2022

31st Annual Walk Against Domestic Violence Jeannie Geiger Crisis Center



Sunday, October 2nd, 2022



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
6/2/2022

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

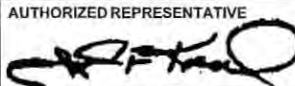
| | | |
|---|---|--|
| PRODUCER Eastern Insurance Group LLC 233 West Central St Natick MA 01760 | CONTACT NAME: PHONE (A/C, No, Ext): 800-333-7234 FAX (A/C, No): 781-586-8244 E-MAIL ADDRESS: CSR24CL@easterninsurance.com | |
| | INSURER(S) AFFORDING COVERAGE NAIC # | |
| INSURED Jeanne Geiger Crisis Center Attn: Liz Morin 2 Harris Street Newburyport MA 01950 JEANGEL-01 | INSURER A : Philadelphia Indemnity Insurance Company 18058 | |
| | INSURER B : American Zurich Insurance Co 40142 | |
| | INSURER C : | |
| | INSURER D : | |
| | INSURER E : | |
| INSURER F : | | |

COVERAGES **CERTIFICATE NUMBER:** 398202056 **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

| INSR LTR | TYPE OF INSURANCE | ADDL INSD | SUBR WVD | POLICY NUMBER | POLICY EFF (MM/DD/YYYY) | POLICY EXP (MM/DD/YYYY) | LIMITS |
|----------|--|-----------|-------------------------------------|-----------------|-------------------------|-------------------------|---|
| A | <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER: | | | PHPK2247075 | 5/7/2021 | 7/1/2022 | EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ 10,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 \$ |
| A | <input type="checkbox"/> AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS ONLY <input checked="" type="checkbox"/> NON-OWNED AUTOS ONLY | | | PHPK2247075 | 5/7/2021 | 7/1/2022 | COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$ |
| A | <input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> DED <input checked="" type="checkbox"/> RETENTION \$ 10,000 | | | PHUB759290 | 5/7/2021 | 7/1/2022 | EACH OCCURRENCE \$ 4,000,000 AGGREGATE \$ \$ |
| B | <input type="checkbox"/> WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below | | Y/N <input type="checkbox"/> N/A | 6UZZUB1K3209122 | 5/1/2022 | 5/1/2023 | <input type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$ 1,000,000 E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMIT \$ 1,000,000 |

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
Walk Against Domestic Violence, Sunday, October 2nd from 8:00 am - approximately 11:00 am
City of Newburyport is hereby included as additional insured with regards to the general liability

| | |
|--|---|
| CERTIFICATE HOLDER City of Newburyport 60 Pleasant Street Newburyport MA 01950 | CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. |
| | AUTHORIZED REPRESENTATIVE  |

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TRANSFERS



CITY OF NEWBURYPORT FY 2022

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

TRANSFER/APPROPRIATION REQUEST

JUN 13 7 PM 3:48

Department: Fire Department

Submitted by: Christopher LeClaire, Fire Chief

Date Submitted: 6/13/2022

Transfer From:

| | | | |
|-----------------|-------------------------|------------|------|
| Account Name: | Multiple (See attached) | Balance: | \$ - |
| Account Number: | Multiple (See attached) | Category: | \$ - |
| Amount: | \$195,000.00 | Trans I/O: | \$ - |

Why Funds Are Available:

Anticipated surplus balances at year-end.

Transfer To:

| | | | |
|-----------------|----------------|------------|---------------|
| Account Name: | Fire Overtime | Balance: | \$ 25,995.39 |
| Account Number: | 01220001-51301 | Category: | \$ 338,813.19 |
| Amount: | \$150,000.00 | Trans I/O: | \$ - |

Why Funds Are Needed:

Fire overtime was higher than anticipated for FY2022 due to long-term illnesses and other circumstances, which required coverage to meet minimum staffing requirements. Overtime costs were also impacted by the Firefighters' collective bargaining agreement that was settled in December 2021, which caused overtime rates to increase for all members, including the payment of retroactive overtime back to the start of the contract term.

Transfer To:

| | | | |
|-----------------|----------------------------|------------|---------------|
| Account Name: | Fire Salary - Firefighters | Balance: | \$ 207,046.10 |
| Account Number: | 01220001-51142 | Category: | \$ 338,813.19 |
| Amount: | \$25,000.00 | Trans I/O: | \$ - |

Why Funds Are Needed:

Firefighter salaries and wages were higher than anticipated for FY2022 due to long-term illnesses, which required the use of a provisional firefighter for a portion of the year for shift coverage.

Transfer To:

| | | | |
|-----------------|------------------------|------------|---------------|
| Account Name: | Fire Dispatch Overtime | Balance: | \$ (9,738.70) |
| Account Number: | 01220001-51302 | Category: | \$ 338,813.19 |
| Amount: | \$20,000.00 | Trans I/O: | \$ - |

Why Funds Are Needed:

Dispatch overtime was higher than anticipated for FY2022. Overtime is incurred to ensure 24/7 coverage of the dispatch office.

Sean R. Reardon, Mayor:



Date: 6/7/2022

Ethan R. Manning, Auditor:



Date: 6/7/22

City Council Action:

Transfer/Appropriation Request - FY22 Fire Department Accounts (Submitted: June 13, 2022)

Transfer From:

Transfer To:

| Account Name | Current Balance | Account Number | Amount | Account Name | Current Balance | Account Number | Amount |
|------------------------------|------------------------|-----------------------|----------------------------|----------------------------|------------------------|-----------------------|----------------------------|
| Long Term Debt Principal | \$49,500.00 | 01720009-59100 | \$49,500.00 | Fire Overtime | \$25,995.39 | 01220001-51301 | \$150,000.00 |
| Long Term Debt Interest | \$43,462.40 | 01720009-59150 | \$43,462.40 | | | | |
| Interest On Short-Term Notes | \$50,000.00 | 01720009-59250 | \$50,000.00 | | | | |
| Solid Waste | \$306,189.94 | 01519002-52905 | \$7,037.60 | | | | |
| Solid Waste | \$306,189.94 | 01519002-52905 | \$45,000.00 | Fire Salary - Firefighters | \$207,046.10 | 01220001-51142 | \$25,000.00 |
| | | | | Fire Dispatch Overtime | -\$9,738.70 | 01220001-51302 | \$20,000.00 |
| Total | | | <u>\$195,000.00</u> | Total | | | <u>\$195,000.00</u> |



CITY OF NEWBURYPORT FY 2022

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

TRANSFER/APPROPRIATION REQUEST 001-311-7 PM 3:48

Department: Mayor's Office

Submitted by: Sean R. Reardon, Mayor

Date Submitted: 6/13/2022

Transfer From:

| | | | |
|-----------------|--------------------|------------|--------------|
| Account Name: | IT Salary Director | Balance: | \$ 45,160.51 |
| Account Number: | 01151001-51101 | Category: | \$ 91,285.51 |
| Amount: | \$45,000.00 | Trans I/O: | \$ - |

Why Funds Are Available:

Surplus due to position vacancy.

Transfer To:

| | | | |
|-----------------|--------------------------|------------|----------------|
| Account Name: | IT Professional Services | Balance: | \$ (11,800.00) |
| Account Number: | 01151002-53004 | Category: | \$ 855.47 |
| Amount: | \$20,000.00 | Trans I/O: | \$ - |

Why Funds Are Needed:

Additional use of contractors was needed due to vacancies in the IT Department.

Transfer To:

| | | | |
|-----------------|------------------|------------|---------------|
| Account Name: | Offsite Services | Balance: | \$ (9,738.70) |
| Account Number: | 01151002-53407 | Category: | \$ 855.47 |
| Amount: | \$25,000.00 | Trans I/O: | \$ - |

Why Funds Are Needed:

Additional use of contractors was needed due to vacancies in the IT Department.

Sean R. Reardon, Mayor:

Sean R. Reardon

Date:

6/7/2022

Ethan R. Manning, Auditor:

Ethan R. Manning

Date:

6/7/22

City Council Action:

**APPOINTMENTS
FIRST READING**

END OF CONSENT AGENDA

BEGINNING OF REGULAR AGENDA

COMMUNICATIONS

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

June 13, 2022

WHEREAS, the current Ward 2 Polling Place is located at the Brown School, Milk Street, Newburyport, and

WHEREAS, said Brown School is closed for use due to various conditions of the building rendering the building unsuitable as a polling place, and

WHEREAS, the Newburyport Public Library ("Library") located at 94 State Street is within the boundaries of Ward 2 and has a suitable area known as the Program Room on the first floor, and

WHEREAS, Amended Article 114 of the Massachusetts Constitution and 950 CMR § 51.00 encourages the fundamental right to vote by improving access for handicapped and elderly individuals to polling places and the voting process.

WHEREAS, the Library has passed the State mandated Polling Place Site Access Survey and approved locally by the ADA Coordinator.

Now, Therefore, the City Council of the City of Newburyport hereby approves the relocation of the Ward 2 polling location from the Brown School to the Library for any and all elections forthwith.

Jennie L. Donahue, Ward 2 Councillor

Unfortunately, at the June 1 Planning Board meeting there was significant confusion among Planning Board members. Specifically, some members wrongly thought that by remanding the settlement decision back to the Planning Board, the City Council had approved or endorsed the proposed settlement, which was not the case. The City Council remanded it without endorsement.

The proposed settlement's fate now rests with the Planning Board, which will vote on June 22 to accept or reject the settlement. I ask City Council Members to please attend this in-person only Planning Board meeting or write a letter to the Planning Board to clarify the City Council's intent and to correct this misconception.

Thank you,
Peter Mackin
13 Prospect Street

▫

**APPOINTMENTS
SECOND READING**

APPOINTMENTS SECOND READING

- APPT00325_05_31_2022 Marilyn Cohodas 66 Washington St. Tree Commission 6/30/2025

In City Council May 31, 2022:

Motion to approve the Consent Agenda amended by Councillor Zeid, seconded by Councillor Vogel. Roll call vote. 11 yes. Motion passes



CITY OF NEWBURYPORT RECEIVED
OFFICE OF THE MAYOR CITY CLERK'S OFFICE
SEAN R. REARDON, MAYOR NEWBURYPORT, MA

2022 MAY 18 PM 12:12

60 PLEASANT STREET - P.O. BOX 550
NEWBURYPORT, MA 01950
978-465-4413 PHONE
MAYOR@CITYOFNEWBURYPORT.COM

To: President and Members of the City Council
From: Sean R. Reardon, Mayor
Date: May 31, 2022
Re: Appointment

I hereby appoint, subject to your approval, the following
named individual as a member of the Tree Commission.
This term shall expire on June 30, 2025.

Marilyn Cohodas
66 Washington Street
Newburyport, MA 01950

Marilyn Cohodas

66 Washington Street
Newburyport, Ma 01950
978 462-2607

Dynamic, high-energy editorial leader with a proven record developing high quality content and building online communities.

Professional profile

Leadership

- Creative, strategic thinker with exceptional project management, content development, writing, social media marketing, communication and organizational skills
- Team player who collaborates effectively with management, creative, editorial, marketers, vendors, technology teams, and subject matter experts
- Actively engaged in social media and avid follower of social media marketing trends involving Facebook, Twitter, LinkedIn, Google+ and other platforms
- Pioneered innovative online formats such as blogs, video, social media, community sites, Infographics, electronic books, webzines, webcasts, podcasts and user-generated content
- Intellectually curious with rich and diverse journalistic background

Content Development

- More than 15 years of industry experience in specialized online B2B media, general interest journalism, brand journalism, consumer magazines, trade journals and academic publishing
- Versed in a wide range of editorial subject matter including enterprise security, cloud computing, mobile, telecom, networking, big-data, product lifecycle management for manufacturing, financial service reform, lifestyle, work/family, and healthcare
- Knack for explaining complex subjects to a general audience
- Experience with content management systems, e-newsletter production, Microsoft Office applications and web and e-newsletter analytic tools

Strategic Planning

- Launched, managed and developed editorial plans for over 14 websites in a variety of vertical markets and social media-engaged communities for targeted audiences
- Conducted survey-based market research
- Experience with search engine optimization (SEO) and social media marketing (SMM) tools, strategies and best practices

Management

- Responsible for editorial calendars and annual freelance budgets of up to \$300,000
- Built editorial organization from scratch for TechTarget's third largest media group
- Successfully managed a geographically diverse team
- Developed companywide editorial training programs and best practices

Work History

UBM-Tech

October 2013 - Present

Managing Editor, Dark Reading & Information Week

Built an online community for UBM branded websites where security professionals discuss issues, challenges and trends surrounding attacks, data breaches, compliance and risk management.

Recruited a stable of over 75 industry thought leaders and contributors.

DeusM, a UBM company

February, 2012 – October 2013

Editor in Chief

Built specialized, custom microsites and online communities with principal emphasis on driving engagement through blogging, user-generated content and social media.

PTC

July 2011 – February 2012, Needham, MA

Marketing Program Manager

Program Manager with a content and social media marketing focus on PTC's enterprise product lifecycle management solutions.

Mouth of the River Media

January 2009 – July 2011, Newburyport MA

Content Director

Advised small- and medium-sized companies on how to map audience information needs to business goals with social media, SEO, webcasts, video and other types of digital content.

TechTarget, Inc., Needham Ma

May 2000 – December 2008

Editorial Director, Windows media group

Launched six B2B Web sites for the technology market and built the organizational structure from scratch for TechTarget's third largest media group serving corporate IT managers and administrators.

Education

The Ohio State University

Bachelor of Arts

Awards

Finalist, mins 2013 Best of Web Award, marketing campaign, Juniper Champions Program

TechTarget Bulls-Eye Award

Cahners Medal of Excellence Award

New England Press Association, second place, special section

UPI Award, first place, spot news coverage

References

References are available on request.

Please view my [LinkedIn recommendations](#)

ORDERS

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

June 13, 2022

THAT, the City of Newburyport establishes the following water and sewer rates effective July 1, 2022:

| | <u>FY2022 Approved</u> | <u>FY2023 Proposed</u> |
|---|-------------------------|-------------------------|
| <u>Water Rate</u> | | |
| <u>Consumption</u> | | |
| First 3,000 cubic feet: | \$5.94 per 100 cu. ft. | \$6.61 per 100 cu. ft. |
| 3,001 cubic feet and over: | \$6.69 per 100 cu. ft. | \$7.37 per 100 cu. ft. |
| <u>Service Charge (Residential)</u> | | |
| Customers with meters 1 inch or smaller: | \$25.00 per quarter | \$25.00 per quarter |
| Customers with meters larger than 1 inch: | \$125.00 per quarter | \$125.00 per quarter |
| <u>Service Charge (Non-Residential)</u> | | |
| Customers with meters 1 inch or smaller: | \$30.00 per quarter | \$30.00 per quarter |
| Customers with meters larger than 1 inch: | \$125.00 per quarter | \$125.00 per quarter |
| <u>Sewer Rate</u> | | |
| <u>Consumption</u> | | |
| First 3,000 cubic feet: | \$9.84 per 100 cu. ft. | \$9.84 per 100 cu. ft. |
| 3,001 cubic feet and over: | \$10.60 per 100 cu. ft. | \$10.60 per 100 cu. ft. |
| <u>Service Charge</u> | | |
| Newburyport/Plum Island customers: | \$25.00 per quarter | \$25.00 per quarter |
| Newbury (Old Town) customers: | \$30.00 per quarter | \$30.00 per quarter |

Councillor Bruce L. Vogel



CITY OF NEWBURYPORT

DEPARTMENT OF PUBLIC SERVICES

16C PERRY WAY
NEWBURYPORT, MA 01950
TEL: 978-465-4420

ANTHONY J. FURNARI, DIRECTOR
JAMIE TUCCOLO, DEPUTY DIRECTOR/DIRECTOR OF OPERATIONS
JULIE SPURR KNIGHT, BUSINESS MANAGER

MEMORANDUM

TO: Mayor Sean Reardon
FROM: Julie Spurr Knight, DPS Business Manager
DATE: June 6, 2022
SUBJECT: Proposed Water and Sewer Rates

The Department of Public Services conducted an analysis on the current water and sewer rate structure and worked with Environmental Partners in the evaluation of the current and future capital needs of the city's water and sewer systems. The evaluation completed by Environmental Partners depicted a minimum water rate increase of 10% for fiscal 2023.

Consumption in fiscal 2022 has decreased by 16% in comparison to 2021. This decrease is due to a 11% increase in residential consumption during the pandemic, an aging metered data collection system and the installation of low flow fixtures on new construction and replacements. The fiscal 2023 proposed water budget has an overall increase of 8% due to an increase in the debt schedule to fund the Philips Drive water main project and a significant increase in supplies due to inflation.

I recommend a water rate increase of 9% using a \$100,000 from water retained earnings to stabilize the rate. This increase will fund the proposed fiscal 2023 water operating budget and debt service. I recommend a 0% increase in the sewer rate with the use of \$300,000 from sewer retained earnings. The overall average residential bill will increase by 3.5% based on 7750 cubic feet of consumption annually.

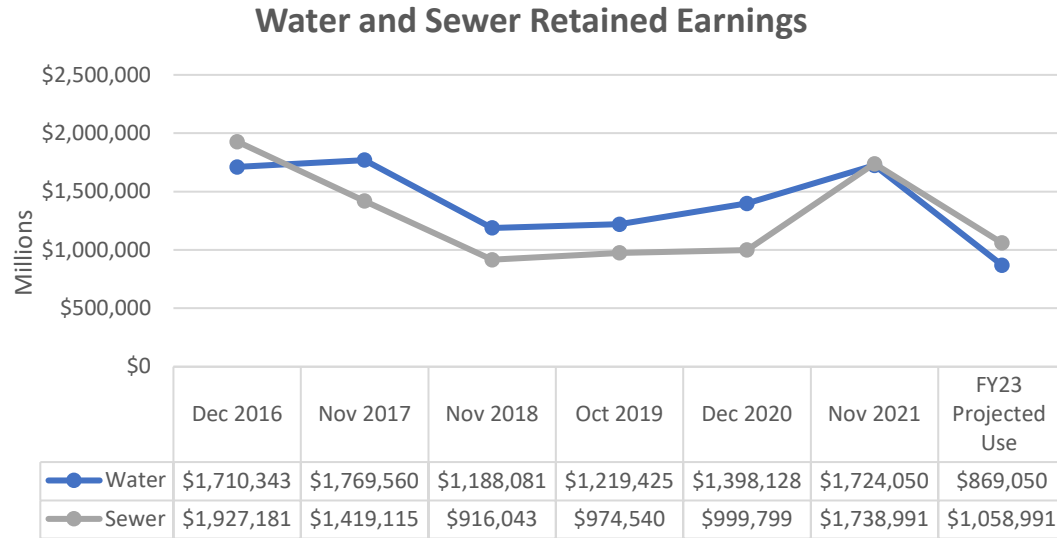
The Water and Sewer Commission recommended a 11% increase with no use of retained earnings from the water enterprise fund and a slight increase in the customer service charge from \$25.00 to \$27.50. The Commission recommended a 0% increase in the sewer rate using \$300,000 from retained earnings.

I arrived at my recommendation based on the need to raise the water rates consecutively over the next couple of years due to capital demands on the water enterprise fund. Many of the capital requests are in an evaluation and design phase. The water department will have a better grasp on actual costs to fund capital demands in the spring of 2023 upon the completion of the water treatment plant evaluation and the Indian Hill raw water main design. Additionally, the water meter replacement project is crucial in obtaining low flow consumption to bill accurately and reduce water loss by moving to automated meter technology.

Newburyport Water and Sewer Rates Fiscal 2023



Retained Earnings Balances Year over Year & FY23 Projected Use



Sewer

- Clarifier upgrades \$100,000
- Aeration System upgrades \$125,000
- WWTF system resiliency plan \$100,000
- Replace 2008 utility body with F250 \$55,000
- \$300,000 rate stabilization

Water

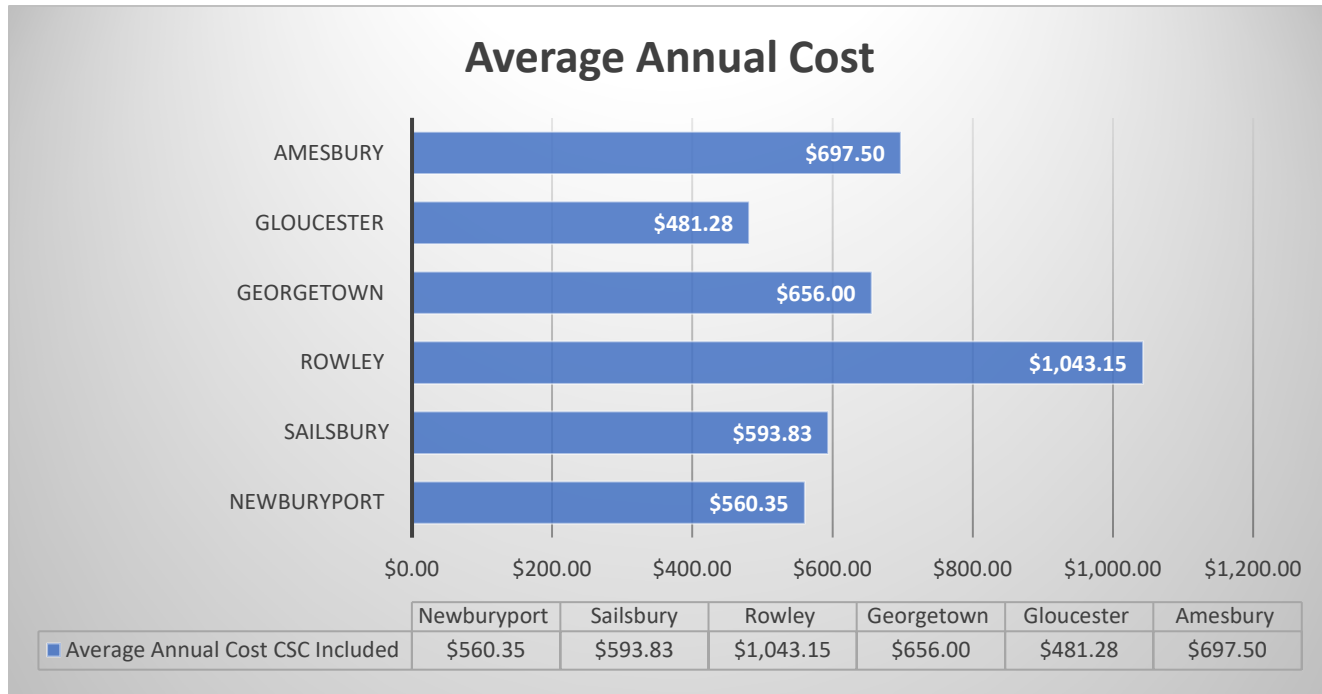
- Indian Hill raw water line \$450,000
- Lower Artichoke Reservoir \$85,000
- Water shed/public water \$85,000
- Treatment plant eval \$170,000
- Water main improve \$100,000
(\$150,000 funded from operating cap outlay)
- \$100,000 to rate stabilization

RATE PROJECTED AND ACTUAL HISTORY 2013-2022



Communities Water Rates in Comparison

| Town/City | Bill Frequency | Unit of Measure | CS Bill Per bill | Annual CS Cost | Rate per 1000 gallons | Cost per 100 cubic feet | Tier Two | Average Annual Cost CSC Included |
|--------------------|----------------|-----------------|------------------|----------------|-----------------------|-------------------------|----------|----------------------------------|
| Newburyport | Quarterly | Cubic Feet | \$25.00 | \$100.00 | | \$5.94 | \$6.69 | \$560.35 |
| Salisbury | Monthly | Gallons | \$29.40 | \$352.80 | \$4.16 | \$3.11 | | \$593.83 |
| Rowley | Monthly | Gallons | | | \$18.00 | \$13.46 | \$22.00 | \$1,043.15 |
| Georgetown | Quarterly | Cubic Feet | \$40.00 | \$160.00 | | \$6.40 | \$7.50 | \$656.00 |
| Gloucester | Quarterly | Gallons | | | \$9.36 | \$6.21 | | \$481.28 |
| Amesbury | Quarterly | Cubic Feet | | | | \$9.00 | | \$697.50 |



Water Rate Calculation

| Factors | | FY2019 | FY2020 | FY2021 | FY2022 | FY2023 |
|--|-------|-------------|-------------|-------------|-------------|-------------|
| Budget | | \$5,472,514 | \$5,396,089 | \$5,421,087 | \$5,751,985 | \$6,268,194 |
| Estimated Consumption | 0.25% | 71,037,557 | 68,150,000 | 68,151,683 | 72,600,224 | 71,722,454 |
| Number of Accounts | 0.25% | 8,282 | 8,282 | 8,302 | 8,700 | 8,700 |
| Less Fees | 0.25% | -\$206,038 | -\$206,038 | -\$245,000 | -\$250,000 | -\$250,000 |
| Less UFB | | -\$100,000 | -\$100,000 | -\$171,322 | -\$100,000 | -\$100,000 |
| Less PY Liens | | -\$84,213 | -\$68,371 | -\$89,707 | -\$89,707 | -\$89,000 |
| Budget to Recover Through User Charges | | \$5,082,263 | \$5,021,680 | \$5,086,380 | \$5,312,278 | \$5,829,194 |

Rate Calculation

| | | | | | | | |
|---|--------------------|--|-------------|-------------|-------------|-------------|-------------|
| Fixed Charge (per Quarter) | Customer Service | | \$25.00 | \$25.00 | \$25.00 | \$25.00 | \$25.00 |
| Income from Customer Service Charge | | | -\$828,175 | -\$828,200 | -\$830,200 | -\$870,000 | -\$870,000 |
| Budget to be Recovered Through Rate | | | \$4,254,088 | \$4,193,480 | \$4,256,180 | \$4,442,278 | \$4,959,194 |
| Consumption associated with Tier 1 Rate | | | 42,622,534 | 40,890,000 | 40,891,010 | 43,560,134 | 43,033,472 |
| Rate per 100 Cubic Feet | <u>Tier 1 Rate</u> | | \$5.54 | \$5.63 | \$5.63 | \$5.94 | \$6.61 |
| Revenue from Tier 1 Rate | 60% | | \$2,361,288 | \$2,302,107 | \$2,302,164 | \$2,587,472 | \$2,844,513 |
| Budget to be Recovered through Tier 2 | | | \$1,892,800 | \$1,891,373 | \$1,954,016 | \$1,854,806 | \$2,114,681 |
| Consumption associated with | | | 28,415,023 | 27,260,000 | 27,260,673 | 29,040,090 | 28,688,982 |
| | | | 0.0666 | 0.0694 | 0.0717 | 0.0639 | 0.0737 |
| Rate per Cubic Foot | <u>Tier 2 Rate</u> | | | | | | |
| Rate per 100 Cubic Feet | 40% | | \$6.29 | \$6.38 | \$6.38 | \$6.69 | \$7.37 |
| | Difference | | \$0.75 | \$0.75 | \$0.75 | \$0.75 | \$0.76 |
| | <u>\$0.75</u> | | | | | | |
| | Total Rate: | | \$5.84 | \$5.93 | \$5.93 | \$6.24 | \$6.91 |

| | | | | | | |
|--------------------------|-----------------------------|---------|---------|---------|---------|---------|
| <i>7,750 cubic feet</i> | Annual Residential | \$529 | \$536 | \$536 | \$560 | \$612 |
| | YoY \$ Increase/(Decrease): | \$18 | \$7 | \$0 | \$24 | \$52 |
| | YoY % Increase/(Decrease): | 3% | 1% | 0% | 4% | 9% |
| <i>34,596 cubic feet</i> | Annual Business | \$2,186 | \$2,217 | \$2,217 | \$2,325 | \$2,559 |
| | Total Blended Rate: | \$5.84 | \$5.93 | \$5.93 | \$6.24 | \$6.91 |
| | YoY \$ Increase/(Decrease): | \$12 | \$31 | \$0 | \$107 | \$234 |
| | YoY % Increase/(Decrease): | 1% | 1% | 0% | 5% | 10% |

Sewer Rate Calculation

| <u>Factors</u> | | <u>FY2019</u> | <u>FY2020</u> | <u>FY2021</u> | <u>FY2022</u> | <u>FY2023</u> |
|--|------|---------------|---------------|---------------|---------------|---------------|
| Budget | | \$7,393,893 | \$7,611,606 | \$7,515,295 | \$7,675,758 | \$7,818,394 |
| Estimated Consumption | 0.5% | 66,445,816 | 63,516,190 | 63,674,980 | 65,517,647 | 64,598,625 |
| Number of Accounts | 0.5% | 7,791 | 7,830 | 7,850 | 7,908 | 7,950 |
| Less Fees | 0.5% | -\$45,678 | -\$45,907 | -\$46,136 | -\$46,367 | -\$46,665 |
| Less UFB Transfer | | -\$375,000 | \$300,034 | -\$371,000 | -\$100,000 | -\$300,000 |
| Less PI Liens | | -\$114,795 | -\$99,721 | -\$132,590 | -\$90,000 | -\$125,000 |
| Budget to Recover Through User Charges | | \$6,858,419 | \$7,766,012 | \$7,098,159 | \$7,439,391 | \$7,346,729 |

Rate Calculation

| | | | | | | | |
|---|---------------------------------|-----|----------------|----------------|----------------|----------------|----------------|
| Fixed Charge (per Quarter) | Customer Service Charge: | | \$25.00 | \$25.00 | \$25.00 | \$25.00 | \$25.00 |
| Income from Customer Service Charge | | | -\$779,070 | -\$782,966 | -\$785,000 | -\$790,800 | -\$795,000 |
| Budget to be Recovered Through Rate | | | \$6,079,349 | \$6,983,047 | \$6,313,159 | \$6,648,591 | \$6,551,729 |
| Consumption associated with Tier 1 Rate | | 60% | 39,867,490 | 38,109,714 | 38,204,988 | 39,310,588 | 38,759,175 |
| Rate per 100 Cubic Feet | Tier 1 Rate: | | \$9.01 | \$9.55 | \$9.55 | \$9.84 | \$9.84 |
| Revenue from Tier 1 Rate | | | \$3,592,061 | \$3,639,478 | \$3,648,576 | \$3,868,162 | \$3,813,903 |
| Budget to be Recovered through Tier 2 | | | \$2,487,288 | \$3,343,569 | \$2,664,583 | \$2,780,429 | \$2,737,826 |
| Consumption associated with Tier 2 Rate | | 40% | 26,578,326 | 25,406,476 | 25,469,992 | 26,207,059 | 25,839,450 |
| Rate per Cubic Foot | | | 0.0936 | 0.1316 | 0.1046 | 0.1061 | 0.1060 |
| Rate per 100 Cubic Feet | Tier 2 Rate: | | \$9.76 | \$10.31 | \$10.31 | \$10.59 | \$10.60 |
| Difference | | | \$0.75 | \$0.76 | \$0.76 | \$0.75 | \$0.76 |
| | \$0.75 | | | | | | |
| Total Rate: | | | \$9.31 | \$9.85 | \$9.85 | \$10.14 | \$10.14 |

| | | | | | | |
|-------------------------|-----------------------------|-------|-------|-------|-------|-------|
| <i>7,750 cubic feet</i> | Annual Residential: | \$798 | \$840 | \$840 | \$863 | \$863 |
| | YoY \$ Increase/(Decrease): | \$80 | \$42 | \$0 | \$22 | \$0 |
| | YoY % Increase/(Decrease): | 11.1% | 5.2% | 0.0% | 2.7% | 0.0% |

WATER & SEWER RATE RECOMMENDATION

FY 23 RECOMMENDATION INCLUDES OVER ALL BILL INCREASE OF 3.5% BASED ON 7750 CU FT OF ANNUAL USAGE (57,970 GAL)

RATE INCREASE STABILIZATION: SEWER \$300,000 & Water \$100,000 FROM RETAINED EARNINGS

| Water & Sewer Rates | FY2021 | FY2022 | FY2023 | Change |
|--|-----------------------|----------|-------------|--------|
| | No Increase from 2020 | Approved | Recommended | |
| Water Rate | | | | |
| <u>Consumption per 100 cu ft.</u> | | | | |
| First 3000 cu ft | \$5.63 | \$5.94 | \$6.61 | \$0.67 |
| 3001 cu ft. and over | \$6.38 | \$6.69 | \$7.37 | \$0.68 |
| <u>Service Charge Per Qrt (Residential)</u> | | | | |
| Customers with meter < 1 inch | \$25 | \$25 | \$25 | 0 |
| Customers with meter > 1 inch | \$125 | \$125 | \$125 | 0 |
| <u>Service Charge Per Qrt (Non-Residential)</u> | | | | |
| Customers with meter < 1 inch | \$30 | \$30 | \$30 | 0 |
| Customers with meter > 1 inch | \$125 | \$125 | \$125 | 0 |
| Sewer Rate | | | | |
| <u>Consumption per 100 cu ft.</u> | | | | |
| First 3000 cu ft | \$9.55 | \$9.84 | \$9.84 | 0 |
| 3001 cu ft. and over | \$10.31 | \$10.60 | \$10.60 | 0 |
| <u>Service Charge per Qtr</u> | | | | |
| Newburyport/Plum Island Customers | \$25 | \$25 | \$25 | 0 |
| Newbury (Old Town) Customers | \$30 | \$30 | \$30 | 0 |
| <u>Average Annual Water/Sewer Chrg (based on 7750 cu ft)</u> | | | | |
| Annual Charge | \$1,376 | \$1,423 | \$1,475 | |
| Quarterly Charge | \$344 | \$356 | \$369 | |
| Change from Prior Year (\$) | \$49 | \$47 | \$52 | |
| Change from Prior Year (%) | FY19 Increase 3.7% | 3.3% | 3.5% | |

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

June 13, 2022

THAT, the City of Newburyport fix the maximum amount that may be spent during fiscal year 2023 beginning on July 1, 2022 for the revolving funds established in city ordinances for certain departments, boards, committees, agencies or officers in accordance with Massachusetts General Laws Chapter 44, Section 53E½, as follows:

| Revolving Fund | Department, Board, Committee, Agency or Officer Authorized to Spend from Fund | FY2022 Spending Limit | FY2023 Spending Limit | Change |
|-------------------------|--|------------------------------|------------------------------|---------------|
| Council on Aging | Director of Council on Aging | \$40,000 | \$40,000 | \$0 |
| Recreational Services | Director of Youth Services | \$535,000 | \$550,000 | \$15,000 |
| Historical Commission | Director of Planning & Development | \$2,500 | \$2,500 | \$0 |
| Electrical Inspector | Building Commissioner | \$110,000 | \$110,000 | \$0 |
| Plumbing Inspector | Building Commissioner | \$65,000 | \$70,000 | \$5,000 |
| Gas Inspector | Building Commissioner | \$55,000 | \$60,000 | \$5,000 |
| Disabilities Commission | ADA Coordinator | \$3,000 | \$3,000 | \$0 |
| Emma Andrews Library | Director of Public Services | \$30,000 | \$30,000 | \$0 |
| Transient Vendors | Director of Public Health | \$20,000 | \$20,000 | \$0 |
| Planning & Zoning | Director of Planning & Development | \$70,000 | \$70,000 | \$0 |
| Animal Control | Director of Public Health | \$6,000 | \$6,000 | \$0 |
| Tree Commission | Newburyport Tree Warden | \$10,000 | \$10,000 | \$0 |
| Medicare/Medicaid | Director of Public Health | \$25,000 | \$25,000 | \$0 |

| | | | | |
|-------------------------------------|--------------------------------|-----------|-----------|---------|
| Veterans Benefits | Director of Veteran's Services | \$2,000 | \$2,000 | \$0 |
| City Hall Maintenance | Director of Public Services | \$5,000 | \$5,000 | \$0 |
| Senior Community Center Maintenance | Director of Public Services | \$20,000 | \$25,000 | \$5,000 |
| Parks Maintenance | Parks Director | \$15,000 | \$15,000 | \$0 |
| Solid Waste | Recycling/Energy Manager | \$100,000 | \$100,000 | \$0 |
| Assessor's Office | Assessor | \$2,000 | \$2,000 | \$0 |

Councillor Sharif I. Zeid

DEPARTMENTAL REVOLVING FUNDS

FY2022 YEAR-TO-DATE ACTIVITY (AS OF JUNE 7, 2022)

| Account Name | Fund Code | Beginning Balance | YTD Revenue | YTD Expended | Transfers Out | Current Balance | FY22 Spending Limit | Remaining Budget | % Used |
|--------------------------|------------------|--------------------------|--------------------|---------------------|----------------------|------------------------|----------------------------|-------------------------|---------------|
| Council on Aging | 2802 | (\$312) | \$19,164 | \$15,657 | \$0 | \$3,194 | \$40,000 | \$24,343 | 39.1% |
| Recreational Services | 2803 | \$525,687 | \$571,103 | \$494,119 | \$105,640 | \$497,031 | \$535,000 | \$40,881 | 92.4% |
| Historical Commission | 2804 | \$10,252 | \$1,650 | \$945 | \$0 | \$10,957 | \$2,500 | \$1,555 | 37.8% |
| Electrical Inspector | 2806 | \$51,920 | \$89,606 | \$93,480 | \$0 | \$48,046 | \$110,000 | \$16,520 | 85.0% |
| Plumbing Inspector | 2807 | \$1,835 | \$82,083 | \$58,893 | \$0 | \$25,025 | \$65,000 | \$6,107 | 90.6% |
| Gas Inspector | 2808 | \$2,365 | \$52,480 | \$43,478 | \$0 | \$11,367 | \$55,000 | \$11,522 | 79.1% |
| Disabilities Commission | 2809 | \$34,534 | \$6,035 | \$0 | \$0 | \$40,569 | \$3,000 | \$3,000 | 0.0% |
| Emma Andrews Library | 2810 | \$48,539 | \$14,000 | \$11,173 | \$0 | \$51,365 | \$30,000 | \$18,827 | 37.2% |
| Transient Vendors | 2812 | \$24,399 | \$3,050 | \$1,670 | \$0 | \$25,779 | \$20,000 | \$18,330 | 8.4% |
| Planning & Zoning | 2813 | \$563 | \$32,250 | \$30,982 | \$0 | \$1,832 | \$70,000 | \$39,018 | 44.3% |
| Animal Control | 2817 | \$12,647 | \$1,590 | \$641 | \$0 | \$13,596 | \$6,000 | \$5,359 | 10.7% |
| Tree Commission | 2818 | \$11,628 | \$0 | \$5,205 | \$0 | \$6,424 | \$10,000 | \$4,795 | 52.0% |
| Medicare/Medicaid | 2835 | \$23,257 | \$38,757 | \$15,268 | \$0 | \$46,747 | \$25,000 | \$9,732 | 61.1% |
| Veterans Services | 2836 | \$1,273 | \$20 | \$0 | \$0 | \$1,293 | \$2,000 | \$2,000 | 0.0% |
| City Hall Maintenance | 2840 | \$6,657 | \$2,665 | \$1,523 | \$0 | \$7,799 | \$5,000 | \$3,477 | 30.5% |
| Senior Comm. Ctr. Maint. | 2841 | \$74,129 | \$17,270 | \$18,599 | \$0 | \$72,800 | \$20,000 | \$1,401 | 93.0% |
| Parks Maint. | 2842 | \$1,002 | \$2,975 | \$3,694 | \$0 | \$283 | \$15,000 | \$11,306 | 24.6% |
| Solid Waste | 2843 | \$260,542 | \$80,085 | \$65,667 | \$35,000 | \$239,961 | \$100,000 | \$34,333 | 65.7% |
| Assessor | 2844 | \$3,490 | \$145 | \$0 | \$0 | \$3,635 | \$2,000 | \$2,000 | 0.0% |
| Total | | \$1,094,407 | \$1,014,928 | \$860,994 | \$140,640 | \$1,107,701 | \$1,115,500 | \$254,506 | 77.2% |

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

June 13, 2022

Be it ordained by the City Council of the City of Newburyport as follows:

THAT the City Council of the City of Newburyport hereby approve and authorize the acceptance of a perpetual Preservation Restriction (PR) between the City, acting through the Newburyport Historical Commission, and the 90 Water Street Realty Trust, for the property located at 90 Water Street, said PR to be substantially in the form attached hereto, and as further reviewed and approved by the Newburyport Historical Commission (NHC); and

Further, that the Mayor of the City of Newburyport, the City Council President and City Clerk are hereby authorized to sign the subject Preservation Restriction as may be required, to act on behalf of the City and enter into any and all instruments, including acceptance of said Preservation Restriction in accordance with Massachusetts General Laws Chapter 184, and to take any other actions necessary to execute this acceptance and the associated Preservation Restriction accordingly.

Councillor Edward C. Cameron, Jr.

PRESERVATION RESTRICTION AGREEMENT

Between

**90 WATER STREET REALTY TRUST
and the**

CITY OF NEWBURYPORT, MASSACHUSETTS

BY AND THROUGH THE NEWBURYPORT HISTORICAL COMMISSION

THIS PRESERVATION RESTRICTION is made this ____ day of _____ 2022 (this “Restriction”) by and between 90 Water Street Realty Trust, located at 66 Gilcrest Road, Londonderry New Hampshire (“Grantor”), and the CITY OF NEWBURYPORT (“Grantee”), a municipality duly organized under the laws of the Commonwealth of Massachusetts and located in Essex County, Massachusetts, to be managed and enforced by its agent, the NEWBURYPORT HISTORICAL COMMISSION (the “Commission”), located at 60 Pleasant Street, Newburyport, Massachusetts, 01950.

WHEREAS, the Grantor is the owner in fee simple of certain real property located at 90 WaterStreet, Newburyport, Massachusetts (hereinafter referred to as “the Property”), being that same Property conveyed by Ann Twiss to Grantor in a deed recorded with the Essex South Registry of Deeds on June 24, 2016 in Book 35027 and Page 362, its legal description included as Exhibit A, attached hereto and incorporated herein by reference, said Property improved by one (1) principal building thereon, referred to hereinafter as “the Building”, described as follows:

Built in or around 1914 structure is a two-story, wood frame structure with some late Victorian-like features. The front façade faces north, with a front facing gable forming an unusual low slope roofline paralleling Water Street. The style and details of this structure are simple and a part of the tight knit Water Street streetscape. The Building is more fully described in a series of documents included in the Baseline Documentation attached hereto and incorporated herein by this reference as Exhibits D, E and F;

WHEREAS, the cultural, historical and architectural significance of the Building and Property emanates from its size and place along Water Street and likely early home of tradesman or factory workers. Its contribution to the historic Water Street streetscape and more generally to the historic architectural character of the Newburyport Historic District, the Building and the Property being important to the public enjoyment and appreciation of their architectural and historical heritage;

WHEREAS, the Building is a contributing resource to the Newburyport Historic District, , is historically significant for its architecture, associations, and/or archeology, and qualify for the protections of perpetual preservation restrictions under Massachusetts General Laws, Chapter 184, sections 31, 32 and 33;

WHEREAS, Grantor and Grantee recognize the architectural, historic and cultural values (hereinafter “preservation values”) and significance of the Building and the Property, and have the common purpose of preserving the aforesaid preservation values and significance of the exterior of the Building and the Property;

WHEREAS, the preservation values of the Building and the Property values are documented in a series of photographs and documents (hereinafter, “Baseline Documentation”) incorporated herein and attached

hereto as Exhibits D, E, and F, which Baseline Documentation the parties agree provides an accurate representation of the Building as of the date hereof;

WHEREAS, the Photographic Documentation (Exhibit D) approved as a condition of approval of the sale of the Building and Property by the City of Newburyport shall consist of the following:

A set of four exterior photos taken in June 2016:

Photo A: South Facade showing single story later added addition on two story original structure.

Photo B: East Facade

Photo C: West Facade

Photo D: North Façade on Water Street showing windows to be changed

WHEREAS, the Building is in need of preservation and restoration;

WHEREAS, the Grantor has been granted a variance for the purpose of maintaining a two family use on the property and as a condition thereof, the Grantor has agreed to impose a restriction on the Building and Property for the preservation and renovation of the aforementioned Building, under the terms and conditions set forth herein and in such other documents as the parties may execute (the “Restriction” or “Preservation Restriction”);

WHEREAS, the Grantor, in further consideration of the successful sale of aforementioned Building, agrees and desires to impose certain restrictions, obligations and duties upon itself, its successors and assigns, so as to maintain, protect and preserve the architectural and historical integrity of the Building;

WHEREAS, the Grantee has approved the proposed changes to the Building and which are documented in Exhibit G attached hereto (“Grantor’s Plans”);

WHEREAS, the preservation of the Building is important to the public for the enjoyment and appreciation of its architectural and historical heritage and serves the public interest in a manner consistent with the purposes of Massachusetts General Laws, Chapter 184, Sections 31, 32 and 33 (“Act”); and

WHEREAS, the Commission is authorized to accept preservation restrictions in the name of the City of Newburyport and the Commission is a governmental body duly organized under the laws of the Commonwealth of Massachusetts, including the General Laws, Chapter 40, Section 8D, authorized and directed by the Grantee to manage the Property and Building burdened by such restrictions and to administer and enforce this restriction;

NOW THEREFORE, for good and valuable consideration, the receipt of which is hereby acknowledged, the Grantor does hereby irrevocably grant and convey to the Grantee in gross this Restriction over the Property and the interior and exterior of the Building to be administered, managed and enforced by the Commission during the Term of this Restriction.

1. Purpose: It is the Purpose of this Restriction to assure that the architectural, historic and cultural features of the exterior of the Building will be retained and maintained forever substantially in their current condition or in a restored condition approved by the Commission for preservation purposes and to prevent any use or change of the Property or the exterior of the Building that will significantly impair or interfere with the Building’s preservation values or alter views of the exterior of the Building.

Grantor agrees at all times to maintain the Property and the exterior of the Building in accordance with this Restriction and in compliance with all Federal, state and local laws, codes and ordinances applicable to the Property and/or the Building. Grantor’s obligation to maintain shall require repair, reconstruction

and, where necessary, replacement in kind whenever necessary to preserve the Building in a good, sound and attractive condition and state of repair.

For avoidance of doubt, this Restriction shall not apply to the interior of the Building and the Commission shall have no oversight on alterations to the interior of the Building. Notwithstanding the foregoing, following completion of the approved rehabilitation work according to the approved Grantor's Plans, any interior activities that may potentially affect the structural integrity of the Building, or which may result in an alteration to any exterior structural or decorative element, or to the material or appearance of the exterior of the Building shall be subject to prior review and approval of the Commission according to the terms of this Restriction.

2. Preservation Restriction: The Grantor grants the grantee the right to forbid or limit:
 - a. Any alteration to the appearance, materials, workmanship, condition or structural stability of the Building unless (i) clearly of minor nature and not affecting the characteristics which contribute to the architectural or historical integrity of the Building and the Property, or (ii) the Grantee has previously determined that it will not impair such characteristics after reviewing plans and specifications submitted by Grantor in accordance with the requirements of paragraph 7, which determination shall not be unreasonably withheld, or (iii) required by casualty or other emergency promptly reported to Grantee in accordance with requirements in paragraph 9. For the purposes of this Agreement, interpretation of what constitutes alterations of a minor nature and ordinary maintenance and repair is governed by the Restriction Guidelines, which are attached hereto as Exhibit E.
 - b. Any alteration to the appearance, materials, workmanship, condition or structural stability of the Building governed by the Newburyport Historical Commission Conditions as listed and attached hereto as Exhibit F.
 - c. Any other act or use that may be harmful to the historic preservation of the Building or the Property.
 - d. Notwithstanding anything to the contrary in this section 2, in the event the Grantor is required by law to make improvements to the Building or Property or is required in writing by its insurance carrier to make improvements to the Building or Property in order to avoid revocation of insurance and the Grantor has exhausted all methods of variance or appeal process related to either applicable law or insurance qualifications, the Grantee and the Grantor agree that the Grantee may not forbid or limit the Grantor's ability to make the improvements. Said changes or improvements shall comply with the Secretary of Interior's Standards for the Rehabilitation of Historic Buildings, and shall be designed in consultation with and subject to reasonable review by Grantee.
3. Grantor's Covenants: Covenant to Maintain: Subject to paragraph 2 and the terms and conditions of this Restriction and such other terms and conditions as the Commission may reasonably impose to accomplish the purposes of this Restriction, the Grantor covenants and agrees at all times to maintain the Building in the same structural condition and state of repair existing as of the date of this Restriction, and thereafter to that existing following the substantial completion of restoration work to be completed. Grantor's obligation to maintain shall require replacement, repair, and reconstruction by Grantor whenever necessary to preserve the exterior of the Building. Subject to the casualty provisions of paragraphs 9 and 10, this obligation to maintain shall require replacement, rebuilding, repair, and reconstruction of the Building whenever necessary in accordance with the policies and procedures of the Commission and in accordance with The Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings (36 CFR 67 and 68), as these may be amended from time to time (hereinafter the "Secretary's Standards").

4. Grantor's Covenants: Prohibited Activities: The following acts or uses are expressly forbidden except as otherwise conditioned in this paragraph:
- a. The Building shall not be demolished, removed, or razed except as provided in Paragraphs 9 and 10;
 - b. The dumping of ashes, trash, rubbish, or any other unsightly or offensive materials is prohibited on the Property on the sides adjacent to Water Street;
 - c. No above-ground utility transmission lines, except those reasonably necessary for the existing Building, may be created on the Property, subject to utility easements already recorded;
 - d. No additions and/or outbuildings may be attached to the Building without prior approval of the Grantee; and
 - e. Moving the Building to another location shall be forbidden without prior approval of the Commission.
5. Conditional Rights Requiring Grantee Approval: Subject to Paragraphs 3 and 4, and the terms and conditions of this Restriction and such other terms and conditions as the Commission may reasonably impose to accomplish the purposes of this Restriction, the Grantor shall not alter the Building without prior express written approval of the Commission. Without said approval Grantor shall not make any changes to the Building, including the alteration, partial removal, construction, remodeling, or other physical or structural change, including permanent signs, and any change in material or color or any change to the footprint, size, mass, ridge-line, and rooflines of the Building. Grantor shall similarly not make any alterations to the surrounding Property that would obscure the current view of the Building, such as the installation of permanent signage without approval of the Commission.

Activities by Grantor to maintain the Building and the Property, which are intended to be performed in accordance with the provisions of paragraph 3, and which are of a minor nature, shall not require the prior approval of the Commission. For the purposes of this section, interpretation of what constitutes ordinary maintenance of a minor nature is governed by Restriction Guidelines (Exhibit E), which are attached to this Agreement and hereby incorporated by reference.

6. Grantor's Reserved Rights Not Requiring Further Approval by the Grantee: Subject to the provisions of paragraphs 2 and 4, the following rights, uses and activities of or by Grantor on, over, or under the Property are permitted by this Restriction and by the Commission without further approval by the Commission:
- a. The right to engage in all those acts and uses that:
 - i. Are permitted by governmental statute or regulation;
 - ii. Do not substantially impair the preservation values of the Building and Property; and
 - iii. Are not inconsistent with the Purpose of this Restriction;
 - iv. Are in conformance with the Grantor's Plans as attached hereto as Exhibit G.
 - b. Pursuant to the provisions of paragraph 3, the right to maintain and repair the Building strictly according to the Secretary's Standards. As used in this sub-paragraph, the right to maintain and repair shall mean the use by the Grantor of in-kind materials and colors, applied with workmanship comparable to that which was used in the construction or

application of those materials being repaired or maintained, for the purpose of retaining in good condition the appearance and construction of the exterior of the Building. The right to maintain and repair as used in this sub-paragraph shall not include the right to make changes in appearance, materials, workmanship from that existing prior to the maintenance and repair without the prior approval of the Commission in accordance with the provisions of paragraph 5.

7. Review of Grantor's Requests for Approval: Grantor shall submit to the Commission for the Commission's approval of those conditional rights set out at paragraphs 2 and 5 two copies of information (including plans, specifications, and designs where appropriate) identifying the proposed activity sufficient to permit the Commission to monitor such activity. Within forty-five (45) days of the Commission's receipt of any plan or written request for approval hereunder, the Commission shall certify in writing that (a) it approves the plan or request, or (b) it disapproves the plan or request as submitted, in which case the Commission shall provide Grantor with written suggestions for modification or a written explanation for the Commission's disapproval. Any failure by the Commission to act within forty-five (45) days or receipt of Grantor's submission or resubmission of plans or requests shall be deemed to constitute approval by the Commission of the plan or request as submitted, so long as the request sets forth the provisions of this section relating to deemed approval after the passage of time.
8. Standards for Review: In exercising any authority created by this Restriction to inspect the Building; to review any construction, alteration, repair, or maintenance; or to review casualty damage or to reconstruct or approve reconstruction of the Building following casualty damage, the Commission shall apply the Secretary's Standards.
9. Casualty Damage or Destruction: In the event the Building or Property shall be damaged or destroyed by fire, flood, windstorm, hurricane, earth movement or other casualty, Grantor shall notify the Commission in writing within fourteen (14) days of damage or destruction, such notification including what, if any, temporary emergency work has already been completed. No repairs or reconstruction of any type, other than temporary emergency work to prevent further damage to the Building and Property and to protect public safety, shall be undertaken by Grantor without the Commission's prior written approval of the work. Within one hundred twenty (120) days of the date of damage or destruction, if required by the Commission, Grantor at its expense shall submit to the Commission a written report prepared by a qualified restoration architect and an engineer who are acceptable to the Grantor and the Commission, which Commission approval shall not be unreasonably withheld, which report shall include the following:
 - a. An assessment of the nature and extent of damage;
 - b. A determination of the feasibility of the restoration of the Building and/or reconstruction of damaged or destroyed portions of the Building; and
 - c. A report of such restoration/reconstruction work necessary to return the Building to the condition existing at the date hereof or the condition subsequently approved by the Commission.
10. Review After Casualty Damage or Destruction: If, after reviewing the report provided in paragraph 9 and assessing the availability of insurance proceeds after satisfaction of any mortgagee's/lender's claims under paragraph 11, Grantor and the Commission agree that the Purpose of the Restriction will be served by such restoration/reconstruction, Grantor and the Commission shall establish a schedule under which Grantor shall complete the restoration/reconstruction of the Building in accordance with plans and specifications consented to by the parties up to at least the total of the casualty insurance proceeds available to Grantor.

If, after reviewing the report and assessing the availability of insurance proceeds after satisfaction of any mortgagee's/lender's claims under paragraph 11, Grantor and the Commission agree that restoration/reconstruction of the Building is impractical or impossible, or agree that the Purpose of the Restriction would not be served by such restoration/reconstruction and Grantor may, with prior written consent of the Commission, alter, demolish, remove or raze the Building, and/or construct new improvements on the Property, Grantor and Grantee may agree to extinguish this Restriction in accordance with the laws of the Commonwealth of Massachusetts and paragraph 23 hereof.

If, after reviewing the report and assessing the availability of insurance proceeds after satisfaction of any mortgagee's/lender's claims under paragraph 11, Grantor and the Commission are unable to agree that the Purpose of the Restriction will or will not be served by such restoration/reconstruction, the matter may be referred by either party to binding arbitration and settled in accordance with the Commonwealth of Massachusetts arbitration statute then in effect, and all other applicable laws, rules, regulations, and ordinances. Arbitrator shall have experience in historic preservation matters.

11. Insurance: Grantor shall keep the Building insured by an insurance company rated "A-1" or better by Best's for the full replacement value against loss from the perils commonly insured under standard fire, injury, death and property damage. Property damage insurance shall include change in condition and building ordinance coverage, in form and amount sufficient to replace fully the damaged Building without cost or expense to Grantor or contribution or coinsurance from Grantor. Grantor shall deliver to the Commission, within ten (10) business days of the Commission's written request thereof, certificates of such insurance coverage. Provided, however, that whenever the Property is encumbered with a mortgage or deed of trust nothing contained in this paragraph shall jeopardize the prior claim, if any, of the mortgagee/lender to the insurance proceeds.
12. Indemnification: Grantor hereby agrees to pay, protect, indemnify, hold harmless and defend, at its own cost and expense, Grantee, its boards, commissions, appointees, agents, directors, employees, or independent contractors from and against any and all claims, liabilities, expenses, costs, damages, losses and expenditures (including attorneys' fees and disbursements hereafter incurred) arising out of or in connection with injury to or death of any person as a result of the existence of this Restriction; physical damage to the Building; the presence or release in, on, or about the Property, at any time, of any substance now or hereafter defined, listed or otherwise classified pursuant to any law, ordinance or regulation as a hazardous, toxic, polluting or contaminating substance; or other injury or other damage occurring on or about the Building; unless such injury, death, or damage is caused by Grantee or its boards, commission, appointees, agents, directors, employees, or independent contractors. In the event that Grantor is required to indemnify Grantee pursuant to the terms of this paragraph, the amount of such indemnity, until discharged, shall constitute a lien on the Property with the same effect and priority as a mechanic's lien.
13. Written Notice: Any notice which either Grantor or Grantee may desire or be required to give to the other party shall be in writing;

Grantor: 90 Water Street Realty Trust
George Haseltine, Trustee
10 Oak Street
Newburyport MA 01950

Grantee: City of Newburyport
c/o Newburyport Historical Commission
Newburyport City Hall
60 Pleasant Street
Newburyport, MA 01950

Each party may change its address set forth herein by a notice to such effect to the other party.

14. Evidence of Compliance: Upon reasonable request by Grantor, Grantee shall promptly furnish Grantor with certification that, to the best of Grantee's knowledge, Grantor is in compliance with the obligations of Grantor contained herein, or that otherwise evidence the status of this Restriction to the extent of Grantee's knowledge thereof.
15. Inspection: With the consent of Grantor, Grantee or its representatives shall be permitted at reasonable times to inspect the exterior of the Buildings and the Property on an annual basis. Grantor covenants not to withhold unreasonably its consent in determining dates and times for such inspections.
16. Grantor's Remedies: In the event Grantee is found to have violated any of its obligations, Grantee shall reimburse Grantor for any costs or expenses incurred in connection with Grantor's enforcement of the terms of this Restriction, including all court costs, and attorneys', architectural, engineering, and expert witness fees.
17. Grantee's Remedies: The Grantor, for itself, its assigns and successors, expressly acknowledges that a violation of this Preservation Restriction Agreement may result in the Commission exercising its right to enforce the terms and conditions of the Restriction by seeking appropriate legal and equitable relief, including, but not limited to, restoration of the Building and such other legal and equitable remedies as may be available to the Commission to effectuate the purposes of this Restriction and to enforce the Grantor's obligations hereunder.

In the event Grantor is found to have violated any of its obligations, Grantor shall reimburse Grantee for any costs or expenses incurred in connection with Grantee's enforcement of the terms of this Restriction, including all court costs, and attorneys', architectural, engineering, and expert-witness fees. Grantor shall, at its own expense and with approval of Commission, reverse any actions or activities which violated this restriction and altered the Building.

Nothing in this Restriction shall impose upon the Commission any duty to maintain or require that the Building be maintained in any particular state or condition; notwithstanding the Commission's acceptance hereof Enforcement of the terms of this Preservation Restriction shall be at the discretion of the Commission. Any election by the Commission as to the manner and timing of exercising of its right to enforce this Preservation Restriction or otherwise exercise its rights hereunder shall not be deemed or construed to be a waiver of such rights. By its acceptance of this Preservation Restriction, the Commission does not assume any liability or obligation relating to the condition of the Building or the Property, including compliance with hazardous materials or other environmental laws and regulations.

18. Notice from Government Authorities: Grantor shall deliver to Grantee copies of any notice of violation or lien relating to the Buildings or Property received by Grantor from any government authority within five (5) business days of receipt by Grantor. Upon request by Grantee, Grantor shall promptly furnish Grantee with evidence of Grantor's compliance with such notice or lien where compliance is required by law.
19. Notice of Proposed Sale: Grantor shall promptly notify Grantee in writing of any proposed sale of the Property and provide the opportunity for Grantee to explain the terms of the Restriction to potential new Grantors prior to sale closing.
20. Runs with the Land: Except as provided in paragraphs 9 and 10, the restrictions, obligations and duties set forth in this Restriction shall run with the Property and shall inure to the benefit of the Commission and all parties claiming by, through or under the Commission and shall bind the Grantor and all parties

claiming by, through or under the Grantor. The Grantor covenants that the Property will at all times be held, used, and conveyed subject to and not used in violation of the following restrictions, obligations and duties that shall run with the Property in perpetuity. In any event, at the expiration of twenty-nine (29) years, the Grantor does hereby grant to the Commission the right to file an extension of this Restriction pursuant to the powers and assignment herein set forth, for any additional amount of time the Commission determines is in the best interest of the Commission to so file. The Commission is authorized to record or file any notices or instruments appropriate to assuring the perpetual enforceability of this Preservation Restriction; the Grantor on behalf of the Grantor and the Grantor's successors and assigns appoints the Commission as the Grantor's attorney-in-fact to execute, acknowledge and deliver any such instruments on the Grantor's behalf. Without limiting the foregoing, the Grantor and the Grantor's successors and assigns agree to execute any such instruments upon request.

Signature of the Grantor: _____

Anything contained herein to the contrary notwithstanding, Grantor of the Property shall have no obligation pursuant to this instrument where such Grantor shall cease to have any Grantorship interest in the Property by reason of a bona fide transfer. The restrictions, stipulations and covenants contained in this Restriction shall be inserted by Grantor, verbatim or by express reference, in any subsequent deed or other legal instrument by which Grantor divests itself of either the fee simple title to or any lesser estate in the Property or any part thereof, including by way of example and not limitation, a lease of all or a portion of the Property.

21. Assignment: Grantee may convey, assign, or transfer this Restriction to a unit of federal, state, or local government, to a local, state, or national charitable corporation or trust that qualifies under the Act, and whose purposes, inter alia, are to promote preservation of historical, cultural, or architectural resources, or to a private entity for the purpose of adaptive reuse of the structure according to the provisions of the Restriction. Conveyance, assignment, or transfer of this Restriction requires that the Purpose for which the Restriction was granted will continue to be carried out. Grantee shall seek Grantor's approval of said conveyance, assignment or transfer and Grantor shall give prior written approval of such conveyance, assignment, or transfer by Grantee, such approval not to be unreasonably withheld.
22. Alternate Designee: Grantee may, at its discretion, remove and replace the Commission as its designee to administer, manage, and enforce this Restriction, provided that any new designee is qualified as such under the Act and other applicable law. In the event Grantee does so remove, the Grantee shall provide notice of same to the Grantor and shall forthwith provide the Grantor with the name, address and further contact information of the designee.
23. Recording and Effective Date: Grantee shall do and perform at its own cost all acts necessary to the prompt recording of this Restriction which shall become effective upon its being duly executed by the Grantor, the City of Newburyport, and the Massachusetts Historical Commission, its being accepted and approved by the Massachusetts Historical Commission, and its being recorded with the Southern Essex County District Registry of Deeds.
24. Extinguishment: Grantor and Grantee hereby recognize that an unexpected change in conditions surrounding the Property may make impossible the continued Grantorship or use of the Property for the Purpose of this Restriction and necessitate extinguishment of the Restriction. Such a change in conditions may include, but is not limited to, partial or total destruction of the Building resulting from casualty. Such an extinguishment must meet all the requirements of the Act for extinguishment, including public hearings by the City of Newburyport and the Massachusetts Historical Commission to

determine that such extinguishment is in the public interest. In the event of a sale of the Property, net proceeds of sale shall be paid to Grantor.

25. Condemnation: If all or any part of the Property is taken under the power of eminent domain by public, corporate, or other authority, or otherwise acquired by such authority through a purchase in lieu of a taking, Grantor and Grantee shall join in appropriate proceedings at the time of such taking to recover the full value of those interest in the Property that are subject to the taking and all incidental and direct damages resulting from taking shall be paid out of the recovered proceeds. Such recovered proceeds shall be paid to Grantor.
26. Interpretation: The following provisions shall govern the effectiveness, interpretation, and duration of the Restriction:
 - a. Any rule of strict construction designed to limit the breadth of restrictions on alienation or use of the Property shall not apply in the construction or interpretation of this Restriction and this instrument shall be interpreted broadly to affect its Purpose and the transfer of rights and the restrictions on use contained herein.
 - b. This instrument may be executed in two counterparts, one of which is to be retained by Grantor and the other, after recording, to be retained by Grantee. In the event of any disparity between the counterparts produced, the recorded counterpart shall constitute the entire Restriction of the parties.
 - c. This instrument is made pursuant to the Act, but the invalidity of such Act or any part thereof shall not affect the validity and enforceability of this Restriction according to its terms, it being the intent of the parties to agree and to bind themselves, their successors and their assigns in perpetuity to each term of this instrument whether this instrument be enforceable by reason of any statute, common law or private Restriction either in existence now or at any time subsequent hereto.
 - d. Nothing contained herein shall be interpreted to authorize or permit Grantor to violate any ordinance or regulation relating to building materials, construction methods or use. In the event of any conflict between any such ordinance or regulation and the terms hereof Grantor promptly shall notify Grantee of such conflict and shall cooperate with Grantee and the applicable governmental entity to accommodate the purposes of both this Restriction and such ordinance or regulation.

If any court or other tribunal determines that any provision of this instrument is invalid or unenforceable, such provision shall be deemed to have been incorporated herein automatically to conform to the requirements for validity and enforceability as determined by such court or tribunal. In the event any provision invalidated is of such a nature that it cannot be modified, the provision shall be deemed deleted from this Preservation Restriction as though it had never been included herein. In either case, the remaining provisions of this instrument shall remain in full force and effect.

27. Amendment: If circumstances arise under which an amendment to or modification of this Restriction would be appropriate, Grantor and Grantee may by mutual written agreement jointly amend this Restriction, provided that no amendment shall be made that will adversely affect the qualification of this Restriction or the status of Grantee under any applicable law. Any such amendment shall be consistent with the protection of the preservation values of the Property and the Purpose of this Restriction; shall not affect its perpetual duration; shall not permit any private inurement to any person or entity; and shall not adversely impact the overall architectural and historic values protected by this Restriction. Any such amendment shall be effective when the requirements of the Act with respect to amendments have been

met and the amendment is recorded in the Southern Essex County District Registry of Deeds. Nothing in this paragraph shall require Grantor or Grantee to agree to any amendment or to consult or negotiate regarding any amendment.

- 28. Release: This Preservation Restriction is intended to be a restriction in gross in perpetuity and may only be released, in whole or in party, by the Grantee pursuant to the procedures for release established by the Act and otherwise by law, including approvals following public hearings by the City of Newburyport and the Massachusetts Historical Commission to determine that such a release is in the public interest.
- 29. Archeological Activities: The conduct of archaeological activities on the Property, including without limitation survey, excavation, and artifact retrieval, may occur only following the submission of an archaeological field investigation plan prepared by the Grantor approved in writing by the Grantee and the State Archaeologist of the Massachusetts Historical Commission (M.G.L. C. 9, Sec. 27C, 950 C.M.R. 70.00).

IN WITNESS WHEREOF, the Grantor sets its hand and seal this _____ day of _____, 2022.
By:

GRANTOR:

90 Water Street Realty Trust

George Haseltine, Trustee

COMMONWEALTH OF MASSACHUSETTS

_____, ss.

On this _____ day of _____, 2022, before me, the undersigned notary public, personally appeared George Haseltine, as aforesaid, proved to me through satisfactory evidence of identification, which was (a current driver's license) (current U.S. passport) (my personal knowledge of the identity of the principal), to be the person whose name is signed above, and acknowledged the foregoing to be signed by him as the Trustee of 90 Water Street Realty Trust, voluntarily for its stated purpose.

Notary Public
My Commission Expires: _____

ACCEPTANCE BY THE NEWBURYPORT HISTORICAL COMMISSION

Glenn Richards, duly authorized
Chair, Newburyport Historical Commission

COMMONWEALTH OF MASSACHUSETTS

Essex, ss.

On this ____ day of _____, 2022, before me, the undersigned notary public, personally appeared Glen Richards, as aforesaid, proved to me through satisfactory evidence of identification, which was (a current driver's license) (a current U.S. passport) (my personal knowledge of the identity of the principal), to be the person whose name is signed above, and acknowledged the foregoing to be signed by him voluntarily for its stated purpose.

Notary Public
My Commission Expires: _____

ACCEPTANCE AND APPROVAL BY THE CITY OF NEWBURYPORT

I, the undersigned City Clerk of the City of Newburyport, Massachusetts, hereby certify that at a meeting duly held on _____, 2022, the City Council voted to approve and accept the foregoing Preservation Restriction Agreement for the preservation of the historic resources of said City and being the public interest pursuant to Massachusetts General Laws Chapter 184, Section 32.

CITY OF NEWBURYPORT

By its Clerk

Richard B. Jones

The undersigned hereby certifies that the foregoing preservation restrictions have been approved and accepted by the City of Newburyport

CITY OF NEWBURYPORT

Sean Reardon, Mayor

COMMONWEALTH OF MASSACHUSETTS

Essex, ss.

On this ____ day of _____, 2022, before me, the undersigned notary public, personally appeared Richard B. Jones, as aforesaid, proved to me through satisfactory evidence of identification, which was (a current driver's license) (a current U.S. passport) (my personal knowledge of the identity of the principal), to be the person whose name is signed above, and acknowledged the foregoing to be signed by him voluntarily for its stated purpose.

Notary Public
My Commission Expires: _____

COMMONWEALTH OF MASSACHUSETTS

Essex, ss.

On this ____ day of _____, 2022, before me, the undersigned notary public, personally appeared Sean Reardon, as aforesaid, proved to me through satisfactory evidence of identification, which was (a current driver's license) (a current U.S. passport) (my personal knowledge of the identity of the principal), to be the person whose name is signed above, and acknowledged the foregoing to be signed by him voluntarily for its stated purpose.

Notary Public
My Commission Expires: _____

List of Exhibits/Attachments

Exhibit A: Legal Property Description

Exhibit B: Newburyport Assessor's Parcel Map

Exhibit C: Massachusetts Historical Commission Inventory Form B

Exhibit D: Baseline Photographic Documentation

Exhibit E: Restriction Guidelines

Exhibit F: Conditions of the Newburyport Historical Commission

Exhibit G: Grantor's Plans

Exhibit A
Legal Property Description

Beginning at the North corner thereof on Water Street by land of Joseph Wicko, now or formerly of Joseph Roseyna, thence running

SOUTHEASTERLY by said Water Street thirty (30) feet to a stone post on land formerly of Woods, now or formerly of Korney; thence turning and running

SOUTHWESTERLY by said land of Korney sixty (60) feet to another stone post on the land now or formerly of Korney; then turning

NORTHWESTERLY by land of Korney and by a stone post thereon twenty-five (25) feet to land now or formerly of Orzechowsky; thence turning and running

NORTHEASTERLY by said land now or formerly of Orzechowsky and said land now or formerly of said Joseph Roseyna seventy (70) feet to Water Street and the corner and place begun at. All of said measurements being more or less.

Exhibit C

Massachusetts Historical Commission Inventory Form B

FORM B – BUILDING DRAFT

MASSACHUSETTS HISTORICAL COMMISSION
MASSACHUSETTS ARCHIVES BUILDING
220 MORRISSEY BOULEVARD
BOSTON, MASSACHUSETTS 02125

Photograph



Locus Map



Recorded by: Lisa L. Mead, Esq.

Organization:

Date (month / year): April, 2022

Assessor's Number USGS Quad Area(s) Form Number

19-74 Newburyport NWB.W

Town/City: Newburyport

Place: (neighborhood or village):
Water Street

Address: 90 Water Street

Historic Name: Unknown

Uses: Present: 2 Family

Original: Single Family

Date of Construction: circa 1914

Source: Book 2265 Page 5 Essex South Registry of Deeds

Style/Form: Mid-Victorian

Architect/Builder: Unknown

Exterior Material:

Foundation: Stone

Wall/Trim: Wood Shingle, Wood

Roof: Asphalt Shingles

Outbuildings/Secondary Structures:
NA

Major Alterations (with dates):
Rear addition – date unknown

Condition: Good

Moved: no yes Date:

Acreage: 1,873 sq ft

Setting: This house is located on the south side of Water Street near the banks of the Merrimack River. The house is set close to the street. This section of the street is densely built with many 19th Century houses, all set close to the Street. The parcel is a narrow, small rectangular shape, and the structure takes up much of the parcel. There is no driveway for the lot as it is narrow and the structures on the abutting lots are located close by. A small white fence runs off the northwest front of the structure along the cement sidewalk in front of the structure.

INVENTORY FORM B CONTINUATION SHEET

NEWBURYPORT

90 WATER STREET

MASSACHUSETTS HISTORICAL COMMISSION
220 MORRISSEY BOULEVARD, BOSTON, MASSACHUSETTS 02125**DRAFT**

Area(s) Form No.

NWB.W

 Recommended for listing in the National Register of Historic Places.*If checked, you must attach a completed National Register Criteria Statement form.**Use as much space as necessary to complete the following entries, allowing text to flow onto additional continuation sheets.***ARCHITECTURAL DESCRIPTION:***Describe architectural features. Evaluate the characteristics of this building in terms of other buildings within the community.*

Built in or around 1914 structure is a two-story, wood frame structure with some late Victorian-like features. The front façade faces north, with a front facing gable forming an unusual low slope roofline paralleling Water Street. The style and details of this structure are simple and a part of the tight knit Water Street streetscape.

HISTORICAL NARRATIVE*Discuss the history of the building. Explain its associations with local (or state) history. Include uses of the building, and the role(s) the owners/occupants played within the community.*

This house is located within the Water Street District Area Form (NWB.W). This area stretches southward from the Market Square Historic District, along the Merrimack River, to the Plum Island Turnpike. It was originally an area of wharves and landing places for the City's fishermen and shippers. Many of the homes along Water Street were built before the Revolution or immediately after. They are smaller than the homes along High Street because they were residences of those who worked along the waterfront, on the ships or the fishing industry.

The way along the river, from Market Square to the foot of Marlborough St., forms part of the way laid out in 1739 by the selectmen of Newbury from "Peirce's farm at the foot of Rolfe's Lane (Ocean Ave.) up to Ordway's Lane (Market St.)." It was evidently a highway for many years before this date. After the incorporation of Newburyport in 1764, a petition was presented to the selectmen for a relocation of the street near its junction with Market Square. In 1771, it was still called Merrimack St., however. As evidenced by the map of 1843, its name was Water St. and its limits are as we know them today. In 1873, the city discontinued all landing places between the northern boundary of the Middle Shipyard (Fire Station) and the lower end of Bromfield St. They were subsequently wholly or partially filled to form the roadbed of the Newburyport City Railroad.

Little to no significant information is available regarding the structure itself or its former owners/occupants. In the Newburyport District Data Sheets, an inventory containing descriptions of the structures within the Newburyport Historic District that were listed in the National Register of Historic Places in 1984, the house is listed as "MC" which signifies it as a "minor contributing" structure. The District Data Sheet further includes that the structure was constructed circa 1850 in a "mid-Victorian" architectural style, with alterations occurring in the 20th Century. However, Newburyport Assessor Data indicates that the structure may have been constructed at the later date of 1914. A review of historical maps of the neighborhood from 1851, 1888, 1894, 1900, 1906, 1914, and 1924, shows the structure first appearing in 1914.

BIBLIOGRAPHY and/or REFERENCES

Water Street District Area Form (NWB.W)
City of Newburyport District Data Sheets
City of Newburyport-Assessor's Office
"Plan of Newburyport Mass. from an actual survey" dated 1851 McIntyre, H (Henry)
Sanborn Insurance Maps

Exhibit D
Photographic Documentation

Photo A

South Facade showing single story later added addition on two story original structure.



Photo B
East Facade



Photo C
West Façade



Photo D
North Façade On Water Street



Exhibit E Restriction Guidelines

The purpose of the Restriction Guidelines is to clarify paragraph three of the terms of the Preservation Restriction, which deals with alterations to the Property, including the Building. Under this paragraph, permission from the Commission is required for any major alteration. Alterations of a minor nature, which are part of ordinary maintenance and repair, do not require Commission review.

In an effort to explain what constitutes a minor alteration and what constitutes a major change, which must be reviewed by the Commission, the following list has been developed. By no means is this list comprehensive: it is only a sampling of some of the more common alterations, which may be contemplated by building owners.

PAINT

Minor – Exterior hand scraping and repainting of non-decorative and non-significant surfaces as part of periodic maintenance.

Major – Painting or fully stripping decorative surfaces or distinctive stylistic features including ornamental ironwork, stone, decorative or significant woodwork.

WINDOWS AND DOORS

Minor – Regular maintenance including caulking, painting and necessary reglazing; repair or in-kind replacement of existing individual decayed window parts.

Major – Wholesale replacement of units; change in fenestration or materials; alteration of profile or setback of windows. The addition of storm windows is also considered a major change; however, with notification it is commonly acceptable.

EXTERIOR

Minor – Spot repair of existing cladding and roofing including in-kind replacement of clapboards, shingles, slates, etc.

Major – Large-scale repair or replacement of cladding or roofing. Change involving inappropriate removal or addition of materials or building elements (i.e., removal of chimneys or cornice detailing, existing and original corner trim, roof edge trim, the new replicated window trim, entry roof pediments and the original restored front and side doors; installation of architectural detail which does not have a historical basis); altering or demolishing building additions; spot repointing of masonry. Structural stabilization of property is also considered a major alteration.

Changes classified as major alterations are not necessarily unacceptable. In fact, approval of such changes shall not be unreasonably withheld. Under the Preservation Restriction such changes must be reviewed by the Commission and their impact on the historic integrity of the Building assessed.

It is the responsibility of the property owner to notify the Commission in writing when any major alterations are contemplated. Substantial alterations may necessitate review of plans and specifications.

The intent of the Preservation Restriction is to enable the Commission to review proposed alterations and assess their impact on the integrity of the structure, not to preclude future change. The Commission will attempt to work with property owners to develop mutually satisfactory solutions that are in the best interests of the Property.

Exhibit F
Conditions of the Newburyport Historical Commission

All of the following architectural elements shall be maintained and preserved in accordance with Sections 1 and 2 of this Preservation Restriction and Exhibit D, which describes and depicts the existing conditions as of the date of this Restriction:

- The roofline of the original building shall never be raised.
- Any changes to the rear addition shall not include a roofline that extends beyond that of the original portion of the building.
- The roofline pediment at the front elevation (Water Street or North), shall be retained. Any repair shall be done in-kind.
- On the front elevation (Water Street or North), the two existing first floor windows shall be replaced with windows that match those of the second floor front elevation in size, dimension, muntin pattern, sash, and detail. The replacement windows shall be wood (or aluminum clad wood) and shall be either true-divided light or simulated divided light. If the latter, dark spacers shall be used between the glass and muntins shall be applied to the exterior portions of the sash. Lite patterning shall be two-over-one.

Exhibit G
Grantor's Plans



ORDINANCES

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

May 9, 2022

AN ORDINANCE TO UPDATE THE AUTHORIZED USES OF DEPARTMENTAL REVOLVING FUNDS

Be it ordained by the City Council of the City of Newburyport as follows:

THAT the Code of Ordinances, City of Newburyport, Massachusetts is hereby amended for Chapter 2 – Administration, Article VI – Finance, Section 2-394. These amendments are to read as follows, with deletions double-stricken-through and bolded, and additions double-underlined and bolded:

CHAPTER 2 – ADMINISTRATION

ARTICLE VI. – FINANCE

Sec. 2-394. - Departmental revolving funds.

1. Purpose. This ordinance establishes and authorizes revolving funds for use by city departments, boards, committees, agencies or officers in connection with the operation of programs or activities that generate fees, charges or other receipts to support all or some of the expenses of those programs or activities. These revolving funds are established under and governed by General Laws Chapter 44, § 53E½.
2. Expenditure Limitations. A department or agency head, board, committee or officer may incur liabilities against and spend monies from a revolving fund established and authorized by this ordinance without appropriation subject to the following limitations:

- A. Fringe benefits of full-time employees whose salaries or wages are paid from the fund shall also be paid from the fund.
 - B. No liability shall be incurred in excess of the available balance of the fund.
 - C. The total amount spent during a fiscal year shall not exceed the amount authorized by City Council on or before July 1 of that fiscal year, or any increased amount of that authorization that is later approved during that fiscal year by the City Council and Mayor.
 - D. Any capital expenditure from the fund shall be made upon the recommendation of the Mayor and approval of the City Council. A capital expenditure is defined as a fixed asset costing \$15,000 or more with an expected useful life of five years or more.
3. Interest. Interest earned on monies credited to a revolving fund established by this ordinance shall be credited to the general fund.
4. Procedures and Reports. Except as provided in General Laws Chapter 44, § 53E½ and this ordinance, the laws, charter provisions, ordinances, rules, regulations, policies or procedures that govern the receipt and custody of city monies and the expenditure and payment of city funds shall apply to the use of a revolving fund established and authorized by this ordinance. The City Auditor shall include a statement on the collections credited to each fund, the encumbrances and expenditures charged to the fund and the balance available for expenditure in the regular report the City Auditor provides the department, board, committee, agency or officer on appropriations made for its use.
5. Authorized Revolving Funds. The Table establishes:
- A. Each revolving fund authorized for use by a city department, board, committee, agency or officer,
 - B. The department or agency head, board, committee or officer authorized to spend from each fund,
 - C. The fees, charges and other monies charged and received by the department, board, committee, agency or officer in connection with the program or activity for which the fund is established that shall be credited to each fund by the City Auditor, and
 - D. The expenses of the program or activity for which each fund may be used, ~~and~~
 - ~~E. The fiscal years each fund shall operate under this ordinance.~~

| A Revolving Fund | B Department, Board, Committee, Agency or Officer Authorized to Spend from Fund | C Fees, Charges or Other Receipts Credited to Fund | D Program or Activity Expenses Payable from Fund | E Fiscal Year |
|----------------------------|---|--|---|--|
| Council on Aging | Director of Council on Aging | Program fees | Senior citizen programs | Fiscal Year 2019 and subsequent years |
| Recreational Services | Director of Youth Services | Program fees | Funds recreational services in the City including program supplies, materials and equipment, class instructor fees, fees for reservations and tickets related to trips and functions, and other costs related to the provisions of recreational services <u>and transfers to the general fund for the purpose of funding salaries.</u> | Fiscal Year 2019 and subsequent years |
| Historical Commission | Director of Planning & Development | Application fees | Administration of the Historical Commission operations, including office supplies and technical assistance | Fiscal Year 2019 and subsequent years |
| Electrical Inspector | Building Commissioner | Electrical permit fees | Electrical Inspector's salary and related expenses <u>Charges and/or salaries for Wiring Inspector, Assistant Wiring Inspector, Building Inspector and related supplies and equipment for the department</u> | Fiscal Year 2019 and subsequent years |
| Plumbing Inspector | Building Commissioner | Plumbing permit fees | Plumbing Inspector's salary and related expenses <u>Charges and/or salaries for Plumbing Inspector, Assistant Plumbing Inspector, Building Inspector and related supplies and equipment for the department</u> | Fiscal Year 2019 and subsequent years |

| | | | | |
|-------------------------|--|--|--|--|
| Gas Inspector | Building Commissioner | Gas permit fees | Gas Inspector's salary and related expenses <u>Charges and/or salaries for Gas Inspector, Assistant Gas Inspector, Building Inspector and related supplies and equipment for the department</u> | Fiscal Year 2019 and subsequent years |
| <u>A</u> | <u>B</u> | <u>C</u> | <u>D</u> | <u>E</u> |
| Revolving Fund | Department, Board, Committee, Agency or Officer Authorized to Spend from Fund | Fees, Charges or Other Receipts Credited to Fund | Program or Activity Expenses Payable from Fund | Fiscal Years |
| Disabilities Commission | <u>Americans with Disabilities Act (ADA)</u> ADA Coordinator | Handicapped parking fines <u>and Massachusetts Architectural Access Board (MAAB)/ADA enforcement fines</u> | Assist the Commission on Disabilities in their efforts to advise, assist, research, coordinate, review and make policy recommendations, provide information, referrals, guidance and technical assistance to individuals, public agencies, businesses and organizations in all matters pertaining to disability; and to coordinate activities of other local groups organized for similar purposes | Fiscal Year 2019 and subsequent years |
| Emma Andrews Library | Director of Public Services | Income received from the rental of the apartment located on the second floor of the South End Branch Library, commonly known as the Emma Andrews Library | Expenses associated with building maintenance, repairs, renovations, upkeep and security | Fiscal Year 2019 and subsequent years |
| Transient Vendors | Director of Public Health | License <u>Permit</u> fees | Maintain City streets, ways, parks, walkways and other public areas throughout the City, as well as, City expenses associated with carrying out holiday celebrations, special activities and other public events <u>Offset Health Department expenses associated with special events, including, but not limited to, festivals, farmers markets, and temporary events</u> | Fiscal Year 2019 and subsequent years |

| | | | | |
|-------------------|------------------------------------|---|--|--|
| Planning & Zoning | Director of Planning & Development | Planning and zoning service and application fees | Planning and zoning related purposes including consultant's fees, legal expenses and other costs associated with project reviews and planning activities | Fiscal Year 2019 and subsequent years |
| Animal Control | Director of Public Health | Fees and charges associated with animal control and animal shelter activities | Offset City expenses associated with carrying out animal control and animal shelter operations | Fiscal Year 2019 and subsequent years |

| <u>A</u> Revolving Fund | <u>B</u> Department, Board, Committee, Agency or Officer Authorized to Spend from Fund | <u>C</u> Fees, Charges or Other Receipts Credited to Fund | <u>D</u> Program or Activity Expenses Payable from Fund | <u>E</u> Fiscal Years |
|--|---|--|---|--|
| Tree Commission | Newburyport Tree Warden | Fines, voluntary payments, fees, charges, contributions, donations, grants, insurance settlements, and other payments received from private individuals, businesses, government entities, and persons or business making payment to the City for damage caused to trees located on City property | Plant, maintain, protect, and preserve public trees throughout the City in order to: contribute to the distinct character of the City; improve air quality; create habitats for wildlife, including various rare and protected species: reduce noise; provide privacy; protect soil from erosion; provide glare and heat protection; provide an aesthetic appeal that enhances property values; provides natural privacy to neighbors; and promotes civic pride and enjoyment | Fiscal Year 2019 and subsequent years |
| Medicare/Medicaid Health Programs | Director of Public Health | Program fees and reimbursements charged to from the state or federal Medicare/Medicaid programs and private <u>insurers.</u> | Maintain emergency planning programs and allow response to emergencies, as well as, offset City Expenses associated with carrying out Health Department activities and programs | Fiscal Year 2019 and subsequent years |

| | | | | |
|---|--------------------------------|--|--|--|
| Veterans Benefits <u>Services</u> | Director of Veteran's Services | Sale of grave markers, donations, gifts and grants received from the general public, government entities, private corporations, and charitable foundations | Expenses associated with goods and services benefiting veterans residing in the City and their families | Fiscal Year 2019 and subsequent years |
| City Hall Maintenance | Director of Public Services | Fees and charges paid to the City for the use and rental of City Hall facilities by outside groups, organizations and individuals | Expenses associated with City Hall <u>event coordination</u> , maintenance, repairs, renovations, upkeep and security | Fiscal Year 2019 and subsequent years |
| Senior Community Center Maintenance | Director of Public Services | Fees and charges paid to the City for the use and rental of the Senior Community Center | Expenses associated with <u>event coordination</u> , maintenance, repairs, renovations, upkeep and security at the Senior Community Center | Fiscal Year 2019 and subsequent years |

| <u>A</u> Revolving Fund | <u>B</u> Department, Board, Committee, Agency or Officer Authorized to Spend from Fund | <u>C</u> Fees, Charges or Other Receipts Credited to Fund | <u>D</u> Program or Activity Expenses Payable from Fund | <u>E</u> Fiscal Years |
|----------------------------|---|---|---|--|
| Parks Maintenance | Parks Director | Fees and charges paid to the City for the use and rental of parks by outside groups, organizations and individuals | Expenses associated with parks maintenance, repairs, renovations, upkeep and security | Fiscal Year 2019 and subsequent years |
| Solid Waste | Recycling/Energy Manager | Fees collected for use of the Yard Waste Facility, charges for disposal of household hazardous waste, bulk item/mattress disposal fees and recycling fees | Expenses associated with operating the Yard Waste Facility and Recycling Center on Colby Farm Lane, chipper service, disposal of hazardous waste, as well as, disposal of bulk items/mattresses | Fiscal Year 2019 and subsequent years |
| Assessor's Office | Assessor | Fees charged by the Assessor's Office for records requests and abutters lists | Office supplies and equipment | Fiscal Year 2019 and subsequent years |

Councillor Sharif I. Zeid

In City Council May 9, 2022:

Motion to refer to Budget & Finance by Councillor Zeid, seconded by Councillor McCauley. Roll call vote. 11 yes. Motion passes.

In City Council May 31, 2022:

Motion to approve on 1st reading by Councillor Zeid, seconded by Councillor Khan. Roll call vote. 11 yes. Motion passes.

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

June 13, 2022

AN ORDINANCE TO RESTRICT PARKING ON ATWOOD STREET

Be it ordained by the City Council of the City of Newburyport as follows:

THAT Chapter 13 Article IV of the Code of Ordinances, City of Newburyport, Massachusetts, is hereby amended to read as follows, with ~~deletions double-stricken and italicized~~, and additions double-underlined and italicized:

Sec. 13-168. - Parking limited—Generally.

No person shall park any vehicle on the following streets or portions of streets as indicated below:

| <i>Street</i> | <i>Zones</i> |
|----------------------|--|
| <u><i>Atwood</i></u> | No parking on the southerly side for a distance of sixty (60) feet from the intersection of Federal Street and Atwood Street |

Councillor Jennie Donahue

COMMITTEE ITEMS

Committee Items – June 13, 2022

Budget & Finance

In Committee:

- TRAN00128_05_31_2022 Library Staff Salary \$25,955 to Library Heat/Electricity \$6,000 and Library Maint. Expense \$18,535 and Library Admin Expense \$1,420
- ORDR00354_05_09_2022 FY23 CPC Recommendations (COTW) PARTIAL
 - Project 2: Old South Clock Face
 - Project 3: Cushing House Arch Preservation
 - Project 5: Open Space Reserve Fund
 - Project 6: Heritage Treet Preservation
 - Project 7: Joppa Park
 - Project 10: Newburyport Black History Initiative
- ORDR00362_05_31_2022 Friends of COA Gift Acceptance \$15,700
- ORDR00361_05_31_2022 Free Cash Transfer & Grant Acceptance – LWCF Grant for Bartlet Mall

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

May 9, 2022

That the City Council appropriates or reserves from the Community Preservation Act FY 2023 estimated revenues, in accordance with the provisions of M.G.L. Chapter 44B, for the following projects, based upon the Community Preservation Committee’s recommendation, the total amount of **\$1,422,370**. The source of funds shall be FY2023 estimated revenues in the amount of \$1,333,644.33 and the Community Preservation Fund Balance in the amount of \$178,773.97. Each project listed below shall be considered a separate appropriation or reservation in the amount indicated for that project. Any conditions or stipulations indicated within the Community Preservation Committee’s recommendation, incorporated herein, shall be considered a condition of this appropriation and subsequent grant award.

| Project No. | Project Title | Applicant | Request | Recommendation |
|-------------|---|-----------------------------------|-------------|--|
| 1 | <u>Priority Housing Needs and Update to Housing Production Plan</u> | Affordable Housing Trust | \$230,000 | \$230,000 |
| 2 | <u>Old South Clock Face</u> | Old South Church | \$4,650 | \$4,650 |
| 3 | <u>Cushing House Architectural Preservation</u> | Historical Society of Old Newbury | \$69,750 | \$69,750 |
| 4 | <u>Bartlet Mall Frog Pond Improvements</u> | Parks Commission & Department | \$2,790,000 | \$216,000 (plus 15 yr BOND of \$2,574,000) |
| 5 | <u>Open Space Reserve Fund</u> | Open Space Committee | \$100,000 | \$100,000 |
| 6 | <u>Heritage Tree Preservation</u> | Proprietors of Oak Hill Cemetery | \$10,000 | \$10,000 |
| 7 | <u>Joppa Park Improvement Project</u> | Parks Commission & Department | \$115,000 | \$15,000 |

| | | | | |
|-----------|---|----------------------------------|--------------------|--|
| 8 | <u>Lower Atkinson Common Improvement Project</u> | Parks Commission & Department | \$1,157,803 | \$525,000 |
| 9 | <u>Market Landing Park Expansion (Central Waterfront)</u> | Office of Planning & Development | \$3,000,000 | \$0 (15 yr BOND of \$3,000,000) |
| 10 | <u>Newburyport Black History Initiative</u> | Office of Planning & Development | \$53,000 | \$53,000 |
| | | Total: | \$9,280,303 | \$1,223,400 Current \$5,574,000 Bonds |

| | | |
|-----------|--|------------------|
| 11 | <u>NHS Stadium Bond Payment</u> | \$124,980 |
| 12 | <u>Cherry Hill Soccer Field Bond Payment</u> | \$11,740 |
| 13 | <u>Fuller Field Track Renovation, Phase Two Bond Payment</u> | \$50,250 |
| 14 | <u>Administrative Costs</u> | \$12,000 |
| | Total: | \$198,970 |

Councilor Sharif I. Zeid

Approve:
Date:

Attest:

In City Council May 9, 2022:

Motion to waive the rules to accept the late files and refer to Budget & Finance by Councilor Zeid, seconded by Councilor McCauley. Roll call vote. 11 yes. Motion passes.

**NEWBURYPORT COMMUNITY PRESERVATION COMMITTEE
RECOMMENDATIONS FOR FY23 APPROPRIATIONS**

The Newburyport Community Preservation Committee recommends that the City Council appropriate or reserve, as indicated **\$1,422,370** from Community Preservation Fund Revenues for the projects and bond payments, in the amounts, in the categories, and subject to the conditions hereinafter described.

The following CONDITIONS are common to recommended current appropriations and exclude recommended reservations and bonded amounts:

- A. Each recipient of funds is required to submit to the CPC a written report on the status of the project by each October 15, January 15, April 15 and July 15 following appropriation and until final completion of the project.
- B. If a project is not completed within twenty-four (24) months of appropriation, the grantee must submit a written request to the CPC for an extension of the grant. Otherwise, funds may be subject to rescission and returned to Community Preservation Fund Reserves (applicable to appropriations, not to reservations).
- C. Full funding is conditioned upon the receipt of state matching funds, estimated to be 32.3% of local revenue, expected in November 2022.

Attached are:

- 1. A draft Council Order and table summarizing all CPC recommendations
- 2. Recommendations for project numbers 1-14, with summaries for each
- 3. Criteria for project evaluation adopted and published by the CPC

Estimated Community Preservation Fund Revenues available for appropriation or reservation in FY 2023 total **\$1,512,418**. This figure includes estimated receipts of the local CPA surcharge through fiscal year end 2022, accumulated interest, the anticipated 32.3% state matching funds expected to be received in November 2022, current uncommitted and unreserved funds, and the returned funds from completed and closed-out projects.

Applications for all projects are available for review on the City website at the following URL:

<https://www.cityofnewburyport.com/community-preservation-committee>

Respectfully submitted by:

Community Preservation Committee Members

Michael Dissette, Chair
Mark Rosen
Tom O'Brien
Don Little
Charles Griffin

Jane Healey, Vice Chair
Paul Healy
Don Walters
Joe Morgan

PROJECT NO. 1
Priority Housing Needs and Update to Housing Production Plan

The CPC recommends the appropriation of \$230,000 from the FY 2023 Estimated Revenues to the Newburyport Affordable Housing Trust for priority housing needs and to update the City's Housing Production Plan.

The CPA category is Affordable Housing.

Project Summary: The Newburyport Affordable Housing Trust (the "Trust") is requesting a total of \$230,000 in Community Preservation Act (CPA) funding for two projects: (1) a 'set-aside' of \$200,000 for affordable housing development initiatives (including the Brown School), and (2) \$30,000 to be used for consultant services to update to the City's Housing Production Plan (HPP). The Trust is seeking CPA funding to be added to the Affordable Housing Trust Fund to be used for imminent and future housing development projects located throughout the community to encourage private developers to both increase the number of affordable homes they create and to offer them at varying levels of affordability. The requested funding will be used for the purposes of incentivizing private developers to (1) create more affordable residences than the baseline minimums, if any, established by local and state regulations, and (2) offer them at varying levels of affordability, i.e. 30%, 50% and 80% AMI. The funding may also be used for the services of affordable housing specialists who understand housing development generally. This would enable the Trust to objectively review the financials of a development project to determine the feasibility of requesting deeper levels of affordability from the developer without compromising the financial success of a development project. State funds for affordable housing development are awarded through a highly competitive process and the state requires a commitment of local funding to leverage millions of dollars of state resources. Municipalities often rely on CPA funds for this local match. Thus, the Trust has sought to secure funds for this CPA purpose with the hope that there will be several affordable housing development opportunities over time.

The Trust is also requesting \$30,000 to be used for consultant services for an update of the [City's Housing Production Plan](#). A Housing Production Plan is a community's proactive strategy for planning and developing affordable housing by creating a strategy to enable it to meet its affordable housing needs in a manner consistent with the Chapter 40B statute and regulation. The City's current Housing Production Plan expires **10/31/23** and is used as a City-wide resource to guide development, through specific objectives and goals, in a way to ensure that safe, adequate housing is available to individuals and families at extremely low-, low- and moderate-income brackets. The Housing Production Plan provides a roadmap for policies, projects, initiatives, and regulatory changes that will help Newburyport create more affordable housing opportunities, retain the current stock of affordable units and support a diverse population with a range of incomes.

PROJECT NO. 2
Old South Clock Face

The CPC recommends the appropriation of \$4,650 from the FY 2023 Estimated Revenues to the Old South Church for the clock face painting project.

The CPA category for this appropriation is Historic Preservation.

Project Summary: The venerated and historic Albert Plummer memorial Old South Church clock face is in need of painting. Originally installed in 1785, and upgraded to a modern 1896 E Howard Model #2 weight driven tower clock, the clock face, hands, numerals, and minute markers are rapidly deteriorating and in need of paint. This project will paint those parts, as well as provide a fresh coat of black paint for the face of the clock.

There is a current Preservation Restriction executed in 1986 and held by the Massachusetts Historical Commission in perpetuity for the Old South Church.

PROJECT NO. 3
Cushing House Architectural Preservation

The CPC recommends the appropriation of \$69,750 from the FY 2023 Estimated Revenues to the Museum of Old Newbury for the Cushing House Architectural Preservation project.

The CPA category for this appropriation is Historic Preservation.

Project Summary: The project consists of the restoration and reconstruction of Federal period architectural elements on the exterior of the Cushing House. This work will include rope band and bead molding, crown molding, frieze board trim blocks, dentil block molding, soffit trim, fascia trim, and reconstruction of the original gutters. All woodwork will be custom milled to match the existing. Additionally, the severely deteriorated shutters will be replaced to match the originals on the High Street facade of the house. Other shutters will be salvaged and restored to replace failed shutters on the other three sides of the house. The museum will commit \$10,463 toward the full project cost of \$80,213. The primary goals of the project are to preserve as much of the original 1808 fabric, to preserve the functionality of the structure as a whole, and to improve safety for visitors to the museum and gardens. The nature of the work is highly specialized, and the cost is significant. Due to financial restraints, the museum will phase the work.

Phase I: Assess all trim elements and take samples of those to be reconstructed. Custom mill work will be implemented. The gutters will be assessed for utility. Seriously deteriorated shutters, such as the fanlight shutter over the main entrance on High Street, will be reconstructed to match the originals. All shutters will be removed, the best ones will be salvaged and restored. All of the restored shutters and all of the windowsills will be painted.

Phase II: The implementation of restoring and reconstructing the architectural elements will begin on the rear and west elevations of the house. The work will also include the replacement of the gutters, as necessary, and painting.

Phase III: Implementation of the work described above will occur on the High Street and Fruit Street elevations.

There is currently a Preservation Restriction (PR) in place that covers the Cushing House. The Museum of Old Newbury is currently working with the Massachusetts Historical Society on approval of a PR that is in perpetuity.

PROJECT NO. 4
Bartlet Mall Frog Pond Improvements

The CPC recommends the appropriation of \$216,000 from the FY 2023 Estimated Revenues to the Newburyport Parks Department and Commission for design, permitting and bidding. The CPC recommends to bond the remainder of the request in the amount of \$2,574,000 over a 15-year term.

The CPA category for this appropriation and bond is Historic Preservation.

Project Summary: The Parks Commission and Parks Department are requesting funding for the entirety of this project to breathe life back into the Bartlet Mall Frog Pond. Last year's CPC support allowed for the necessary testing (monitoring wells to determine hydrologic connection to the pond, core samples of the sediment, water testing and bathymetric survey) as well as initial engineering reports with detailed analysis, recommendations and cost estimates.

The Parks Commission and Parks Department are currently requesting flexibility and funding to complete the following items:

DESIGN, PERMITTING, AND BID (plus 20% contingency): \$216,000

OPTION 1:

Dewater, dredge and remove 6" off-site: \$530,748
Liner and site restoration: \$560,679
Pump, well, outlet: \$575,000
Aeration, water treatment, maintenance equipment: \$325,000
Pond shaping and plants: \$150,000
20% contingency: \$432,573
TOTAL: \$2,574,000

OPTION 2:

Total from Option 1: \$2,574,000
Cost savings to keep sediment in place (plus 20% contingency): -\$452,098
Concrete footing: \$200,622
Granite blocks (72"x20"x15", qty 190): \$343,770
20% contingency: \$108,878
Design engineering (donation): \$ 0
TOTAL: \$2,775,172

The CPC recommends that such scope and pricing flexibility be approved and referenced in the grant agreement.

PROJECT NO. 5**Open Space Reserve Fund**

The CPC recommends the reservation of \$100,000 from the FY 2023 Estimated Revenues to the Open Space Reserve Fund.

The CPA category for this reservation is Open Space.

Project Summary: Since 2014, through appropriations from the Open Space Reserve Fund, the City successfully protected 10+ acres of land on Curzon Mill Road, a significant portion of the Colby Farm land on Low Street and helped secure protection of our water supply in partnership with West Newbury, Greenbelt and DCR. The existence of the Reserve allowed and will allow the City to take the opportunities when they are presented. Recent CPC funding rounds have restored the Reserve to its current balance of \$629,966. With this application the Open Space Committee asks that the process of restoring the Reserve be continued so that the Committee is in a stronger position to address future opportunities for land protection and preservation as they arise.

PROJECT NO. 6**Heritage Tree Preservation**

The CPC recommends the appropriation of \$10,000 to the Proprietors of Oak Hill Cemetery for the restoration and preservation of heritage trees at Oak Hill Cemetery.

The CPA category for this project is Historic Preservation.

Project Summary: In 1842, a group of interested citizens formed a board of trustees to oversee the design and management of a rural garden cemetery – one of the first of its kind in the United States. Today, Oak Hill's 36 acres provides a quiet place for walkers and birders to enjoy their recreational pursuits. The cemetery, which became the final resting place of many prominent Newburyport residents, also offers a glimpse into the City's rich past.

Oak Hill is home to some of the City's oldest and largest trees. According to the cemetery's arborist, there are well over 100 trees in excess of 150 years old. Many of these have accumulated a significant amount of deadwood while others suffer from weak sections or advanced decay that will require partial to total removal. These conditions present a safety hazard for visitors and encourage future decay of the trees. Preventative measures must be taken to prevent further damage to these and other mature trees within the site, including pruning, bracing and fertilization. This appropriation would support these services and preserve the historic landscape of Oak Hill Cemetery.

PROJECT NO. 7**Joppa Park Improvement Project**

The CPC recommends the appropriation of \$15,000 from the FY 2023 Estimated Revenues to the Newburyport Parks Department and Commission for the Joppa Park Improvement Project.

The CPA category is Recreation.

Project Summary: Joppa Park is .75 acre of land shaped as a narrow, rectangular strip of land and a small boat ramp in the South End of the historic seaport of Newburyport, in an area known as Joppa. The park is bordered by the nationally registered scenic byway of Water Street on one side and 1,000 feet of frontage on the Merrimack River on the other. This waterfront park was created when Mayor Byron Matthews initiated the building of a sea wall in 1968 to protect the Joppa neighborhood from storms and very high tides. The resulting new land mass was redeveloped into a park named Joppa Park in 1996. The park provides an ever- changing view of the Merrimack River with its expansive mud flats, a heritage landscape known as Joppa Flats.

The park has undergone many improvements since 2010 including installation of a granite bollard-and-chain fence accompanied by a perennial hedge along Water Street with four cobblestone pedestrian entry points leading from the Water Street sidewalk into the park; new benches, four interpretive panels, addition of irrigation, a new drinking fountain, connection to the Clipper City Rail Trail and replacement of the boat ramp and improvements to the parking area.

The badly damaged and dangerous asphalt walkway along the sea wall will be replaced with a brick sidewalk. The walkway, which is prone to sinkholes as a result of tidal activity that draws out subsurface material, will be fortified beneath its surface to remove the threat of future sinkholes.

Update: \$100,000 in ARPA funding was just approved for the Joppa Walkway, so the Parks Department revised the request to cover the project contingency of \$15,000.

PROJECT NO. 8 Lower Atkinson Common Improvement Project

The CPC recommends the appropriation of \$525,000 from the FY 2023 Estimated Revenues to the Newburyport Parks Department and Parks Commission for the Lower Atkinson Common Improvement Project playground renovation.

The CPA category for this project is Recreation.

Project Summary: Based on a master plan funded by CPA in FY19 and then slightly modified by the Parks Commission, the impetus for this overall project is the need to improve safety in the parking area and on Merrimac Street which experience a high number of speeding vehicles along that stretch of road creating a hazard for pedestrians and other drivers. The project will relocate and replace the playground to the center of the park so that ultimately, parking can be moved away from Merrimac Street and protected by a vegetative traffic buffer.

The playground was installed more than 25 years ago. Some of the equipment is designed to be handicap accessible, but the current condition of the safety surfacing does not provide access to the equipment. Many play structures are aging out; the Parks Department removed one play component in fall 2021 because it had become non-compliant with federal safety guidelines. The plan with the FY23 funds, is to install a new, inclusive playground which is an essential first step to improve the parking

situation along Merrimac Street. The City plans to move forward on the parking, sidewalk and drainage improvements from alternative funding sources.

PROJECT NO. 9
Market Landing Park Expansion (Central Waterfront)

The CPC recommends to fully bond the Market Landing Park Expansion Project in the amount of \$3,000,000. The CPC also recommends to the Council that the FY'22 appropriation of \$250K for this project (Council Order 265_08_09_2021) be granted a two-year extension so that these funds can be utilized along with the FY23 recommended funding.

The CPA category for this appropriation is Recreation.

Project Summary: Design funds for the Market Landing Park Expansion project were appropriated in 2021, and the City now has Sasaki Associates under contract to provide fully engineered construction drawings and specifications suitable for bidding and construction. The City Council also appropriated funds for design of a new Visitor Center/Restroom Facility, to be integrated with the park design along Merrimac Street, and replace old “temporary” facilities which have been on the site for many years. To be clear, the CPC request for construction funding here does not include the proposed Visitor Center/Restroom Facility. However, it has been essential that the design of this facility progress in parallel with the park design immediately abutting it, including the creation of a new public (pedestrian) way where the current facilities exist. The City Council approved Sasaki’s schematic site plan (25% design) in 2021. Since that time Sasaki has been working to refine this plan, while addressing smaller site-specific details with key stakeholders (e.g. utilities design, planting schedule, irrigation system design, materials selection, upgrades to facilitate waterfront events, etc.).

The Planning Office anticipates phased construction of the Market Landing Park Expansion. As noted above, it is expected that other funding sources will be used to construct the Visitor Center/Restroom Facility. In order to reduce the CPC request, the Planning Office has discussed breaking the project plans into two sub-areas for the purposes of phased construction (park and parking, respectively). The Planning Office proposes to proceed with construction of the primary park areas in spring 2023. This would mean postponing the parking lot areas (to remain largely compacted gravel until additional funds are secured). While phased construction will necessitate extended impacts to the downtown central waterfront over several years, and unusual “transition” areas (site conditions), creating the expanded park space next year will provide the principal and long-awaited public improvements without further delay.

PROJECT NO. 10
Newburyport Black History Initiative

The CPC recommends the appropriation of \$53,000 from the FY 2023 Estimated Revenues to the Office of Planning and Development for the Newburyport Black History Initiative.

The CPA category for this appropriation is Historic Preservation.

Project Summary: This project will develop high-quality historic interpretive signs to highlight and incorporate Newburyport’s Black history more fully into the public landscape so that visitors as well as residents and workers can encounter the information and stories in their day-to-day lives. The signs will

augment Newburyport’s heritage tourism, and follow the City’s standard historic interpretive sign format developed during the past decade in various public spaces, such as the Rail Trail, Brown Square, Inn Street, the NHS Stadium, etc.

The text, graphics and colors of the interpretive sign panels will be professionally laid out by graphic artists on 24” x 36” panels set at a 30-degree angle towards the viewer, and will be supported by attractive, functional, durable double-posted aluminum stanchions similar to the ones installed in various other public spaces during the past decade or so. We will explore using an alternative sign panel material from the High-Pressure Laminate signs used to date for longer durability. Alternatives include Direct Embed powder coated panels or Vitreous/Porcelain Enamel panels.

Potential topics, themes, and story-lines for the Newburyport Black History Initiative’s historic interpretive signs include: “Black Mariners During the Age of Sail”, “Black Soldiers from Newburyport in the 18th and 19th Centuries”, and “Guinea Village: An African American Neighborhood in Historic Newburyport”.

PROJECT NO. 11
NEWBURYPORT HIGH SCHOOL WORLD WAR MEMORIAL STADIUM MULTI-PURPOSE FIELD PROJECT
BOND DEBT
PAYMENT

The CPC recommends the appropriation of \$124,980 from the FY 2023 Estimated Revenues to the City of Newburyport for the sixth annual payment of interest and principal on the World War Memorial Stadium Multi- Purpose Field Project Bond.

CPA category is Recreation.

Project Summary: In April 2014, the City Council authorized bonding up to \$1,500,000 against future CPA revenue for the renovation and improvement of the Newburyport High School’s World War Memorial Stadium athletic field. Debt payments on the bond will continue through 2030. The CPC is advised that it is necessary to appropriate the debt service payments annually.

PROJECT NO. 12
CHERRY HILL PARCEL B SOCCER FIELD IMPROVEMENT PROJECT BOND DEBT PAYMENT

The CPC recommends the appropriation of \$11,740 from the FY 2023 Estimated Revenues to the City of Newburyport for the seventh annual payment of interest and principal on the Cherry Hill Parcel B Soccer Field Improvement Project Bond.

The CPA category is Recreation.

Project Summary: In April 2014, the City Council authorized the bonding of up to \$134,000 against future CPA revenue for the redesign and construction of the Cherry Hill Parcel B athletic field. Debt payments on the bond will continue through 2030. The CPC is advised that it is necessary to appropriate the debt service payments annually.

PROJECT NO. 13
FULLER FIELD TRACK RENOVATION, PHASE TWO BOND DEBT PAYMENT

The CPC recommends the appropriation of \$50,250 from the FY 2023 Estimated Revenues to the City of Newburyport for the second annual payment of interest and principal on the Fuller Field Track Renovation, Phase Two Project Bond.

The CPA category is Recreation.

Project Summary: The project includes installation of a 300-person grandstand, completion of electrical connections throughout the facility for the sound and timing systems, installation of a new sound system, and renovation of the interior of the existing field house to include expanded restroom facilities.

PROJECT NO. 14
ADMINISTRATIVE COSTS

The CPC recommends the appropriation of \$12,000 from the FY 2023 Estimated Revenues to fund the Community Preservation Committee's anticipated administrative costs. These costs include a stipend for the CPC administration liaison position in the Office of Planning & Community Development, annual membership dues in the statewide community preservation coalition, and other recurring expenses including note taking at meetings, legal advertising, and city solicitor review of legal documents when necessary. Excess funds remaining in this account at the end of the fiscal year revert to the general Community Preservation Fund.

The CPA category for this appropriation is Administration.

COMMUNITY PRESERVATION COMMITTEE – EVALUATION CRITERIA

The Newburyport Community Preservation Committee gives preference to proposals which address as many of the following general criteria as possible:

1. Eligible for Community Preservation Act (CPA) funding according to the requirements described in the CPA legislation (Chapter 44B of Mass. General Laws).
2. Consistent with the Master Plan, Open Space and Recreation Plan, Land Use and other planning documents that have received public scrutiny and input.
3. Preserve and enhance the essential character of the city.
4. Protect resources that would otherwise be threatened.
5. Serve more than one CPA purpose or demonstrate why serving multiple needs is not feasible.
6. Demonstrate practicality and feasibility, and that the project can be implemented within budget and on schedule.
7. Produce an advantageous cost/benefit value.
8. Leverage additional public and/or private funds (eg. qualify the project for additional grants from other sources) or receive partial funding from other sources and/or voluntary contributions of goods or services.
9. Preserve or improve utility of currently owned city assets.
10. Receive endorsement by other municipal boards or departments and broad-based support from community members.

CATEGORY SPECIFIC CRITERIA

The Community Preservation Act funds three key community interests: open space, historic preservation, and affordable housing. Public recreation projects may also be funded.

1. **Open Space** proposals which address as many of the following specific criteria as possible will receive preference for funding:
 - Permanently protect important wildlife habitat, particularly areas that include:
 - locally significant biodiversity;
 - variety of habitats with a diversity of geologic features and types of vegetation;
 - Endangered habitat or species of plant or animal.
 - Preserve active agricultural use.
 - Provide opportunities for passive recreation and environmental education.
 - Protect or enhance wildlife corridors, promote connectivity of habitat or prevent fragmentation of habitats.
 - Provide connections with existing trails, protected open space or potential trail linkages.
 - Preserve scenic views.
 - Border a scenic road.

- Protect drinking water quantity and quality.
- Provide flood control/storage.
- Preserve and protect important surface water bodies, including streams, wetlands, vernal pools or riparian zones.
- Buffer for protected open space, or historic resources.

2. Historic Preservation proposals which address as many of the following criteria as possible will receive preference for funding:

- Protect, preserve, enhance, restore and/or rehabilitate historic, cultural, architectural or archaeological resources of significance, especially those that are threatened.
- Protect, preserve, enhance, restore and/or rehabilitate city-owned properties, features or resources of historical significance.
- Protect, preserve, enhance, restore and/or rehabilitate the historical function of a property or site.
- Demonstrates a public benefit.
- Ability to provide permanent protection for the historic resource.

3. Affordable Housing proposals which address as many of the following criteria as possible will receive preference for funding:

- Contribute to the goal of 10% affordability as defined by chapter 40B of Mass. General Laws.
- Promote a socioeconomic environment that encourages a diversity of income.
- Provide housing that is harmonious in design and scale with the surrounding community.
- Intermingle affordable and market rate housing at levels that exceed state requirements for percentage of affordable units pursuant to chapter 40B.
- Ensure long-term affordability.
- Address the needs of range of qualified household, including very low, low and low-to moderate income families and individuals.
- Provide affordable rental and affordable ownership opportunities.
- Promote use of existing buildings or construction on previously-developed or city-owned sites.
- Convert market rate to affordable units.

4. Recreation proposals which address as many of the following criteria as possible will receive preference for funding:

- Support multiple recreation uses.
- Serve a significant number of residents.
- Expand the range of recreational opportunities available to city residents of all ages.

- Jointly benefit Conservation Commission and Parks Commission initiatives by promoting recreation, such as hiking, biking, and cross-country skiing.
- Maximize the utility of land already owned by city (e.g. school property).
- Promote the creative use of railway and other corridors to create safe and healthful non-motorized transportation opportunities.

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

May 31, 2022

THAT, The CITY COUNCIL of the City of Newburyport amends a prior gift acceptance of \$15,700 from the Friends of the Newburyport Council on Aging (COA), which was originally intended to pay costs of designing a Multi-Purpose Outdoor Space at the Senior/Community Center (ORDR269_08_09_2021), to allow the remaining \$5,850 to be used for any general benefit of the COA and seniors, as directed in the attached letter from the Friends of the Newburyport COA dated May 6, 2022.

Councillor Sharif I. Zeid

In City Council May 31, 2022:

Motion to waive the rules and accept the late files by Councillor Zeid, seconded by Councillor Donahue. Roll call vote. 11 yes. Motion passes.

Motion to refer to Budget & Finance by Councillor Zeid, seconded by Councillor McCauley. Roll call vote. 11 yes. Motion passes.

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED

May 31, 2022

AN ORDER TO FILE AND ACCEPT GRANTS WITH AND FROM THE COMMONWEALTH OF MASSACHUSETTS, EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS FOR THE LAND AND WATER CONSERVATION FUND GRANT PROGRAM FOR IMPROVEMENTS TO BARTLET MALL

- Whereas: The Bartlet Mall is by far a community-wide asset and the preservation and improvements to this facility are a City priority as evidenced in the most recent Open Space and Recreation Plan; and
- Whereas: The Bartlet Mall is dedicated to park and recreation purposes under M.G.L. Chapter 45, Section 3; and
- Whereas: The Bartlet Mall's ultimate restoration, guided in principal by the Master Plan, will greatly enhance this facility with improved infrastructure, path systems, universal access, etc.; and
- Whereas: The main focus of the Plan is to restore the Bartlet Mall to its historic condition while ensuring such improvements enhance the universal accessibility of the facility. The overall cost and fiscal budget constraints prevented the City from proceeding forward with implementation as one project; and
- Whereas: The project was instead viewed as a series of phases, to be implemented over time, by priority as fiscal resources were available, with the intention of securing grant funding, when and if available, to assist in this effort; and
- Whereas: The Executive Office of Energy and Environmental Affairs (EEA) is offering reimbursable grants to cities and towns to support the preservation and restoration of urban parks through the Land and Water Conservation Fund Act (P.L. 88-578, 78 Stat 897); and
- Whereas: The Project will cost a total of \$606,270 (Six Hundred and Six Thousand Two Hundred Seventy Dollars) for the Bartlet Mall Restoration Project and the City has secured \$203,135 in Community Preservation Act funds and private grants and donations.

NOW, THEREFORE, BE IT

1. That the Mayor be and is hereby authorized to file and accept grants from the Executive Office of Energy and Environmental Affairs; and
2. That the Mayor be and is hereby authorized to take such other actions as are necessary to carry out the terms, purposes, and conditions of this grant to be administered by the Parks Department; and
3. That \$100,000 is hereby appropriated from Free Cash to the Bartlet Mall Restoration Project; and
4. That this resolution shall take effect upon passage.

Councillor Heather Shand

Councillor Jennie L. Donahue

In City Council May 31, 2022:

Motion to refer to Budget & Finance by Councillor Zeid, seconded by Councillor Preston. Roll call

vote. 11 yes. Motion passes.



CITY OF NEWBURYPORT FY 2022

RECEIVED
CLERK'S OFFICE
NEWBURYPORT, MA

2022 MAY 24 PM 3:06

TRANSFER/APPROPRIATION REQUEST

Department: Newburyport Public Library

Submitted by: Giselle Stevens, Head Librarian

Date Submitted: 5/31/2022

Transfer From:

| | | | |
|-----------------|-----------------------------|------------|----------------------|
| Account Name: | <u>Library Staff Salary</u> | Balance: | <u>\$ 88,408.53</u> |
| Account Number: | <u>01610001-51156</u> | Category: | <u>\$ 190,510.58</u> |
| Amount: | <u>\$25,955.00</u> | Trans I/O: | <u>\$ -</u> |

Why Funds Are Available:

Staff turnover and retirement, as well as FMLA maternity leave has resulted in extra funds in the Library Staff Salary account.

Transfer To:

| | | | |
|-----------------|---------------------------------|------------|---------------------|
| Account Name: | <u>Library Heat/Electricity</u> | Balance: | <u>\$ 5,076.97</u> |
| Account Number: | <u>01610002-52101</u> | Category: | <u>\$ 38,901.49</u> |
| Amount: | <u>\$6,000.00</u> | Trans I/O: | <u>\$ -</u> |

Why Funds Are Needed:

Increased energy costs have resulted in additional heating and cooling expenses over the budgeted amount. \$6,000 will cover the May and June invoices.

Transfer To:

| | | | |
|-----------------|--------------------------------------|------------|---------------------|
| Account Name: | <u>Library Maintenance Equipment</u> | Balance: | <u>\$ 18,375.86</u> |
| Account Number: | <u>01610002-52402</u> | Category: | <u>\$ 38,901.49</u> |
| Amount: | <u>\$18,535.00</u> | Trans I/O: | <u>\$ -</u> |

Why Funds Are Needed:

1) The CPA grant funded Archival Center HVAC replacement project has \$2,910 in costs over the CPA grant awarded for this project. 2) Carpet replacement on the main staircase and 2nd floor landing is in the FY23-27 CIP. This funding of \$15,625 will enable the carpet project to be completed this year.

Transfer To:

| | | | |
|-----------------|------------------------------|------------|---------------------|
| Account Name: | <u>Library Admin Expense</u> | Balance: | <u>\$ (736.72)</u> |
| Account Number: | <u>01610002-55800</u> | Category: | <u>\$ 38,901.49</u> |
| Amount: | <u>\$1,420.00</u> | Trans I/O: | <u>\$ -</u> |

Why Funds Are Needed:

The Library increased the speed of the internet service, with an increase in monthly costs. This transfer will cover the current negative balance and the May and June Comcast invoices.

Sean R. Reardon, Mayor:

Sean R. Reardon

Date: 5/24/2022

Ethan R. Manning, Auditor:

Ethan R. Manning

Date: 5/24/2022

City Council Action:

Committee Items – June 13, 2022

Public Safety

In Committee:

- APPT00323_05_31_2022 George Sass 37 Jefferson St. Harbor Commission 5/31/2025
**Re-appointment*
- APPL00078_05_31_2022 Block Party 14 Dove St. Saturday, August 6th 5:30pm -10pm
- APPL00079_05_31_2022 Newburyport Lions Bed Race August 4th 5pm-8pm
- APPL00081_05_31_2022 Block Party 31 Howard St. Friday June 17th 12pm-9pm
- APPL00083_05_31_2022 Riverfest Saturday, July 23rd 12pm-7pm
- COMM00411_05_31_2022 Waterfront Trust Ltr re: July 4-5th Event property use
- COMM00413_05_31_2022 Ltr. Bob Keller re: Speed Limits
- COMM00396_03_14_2022 Ltr. Stephen Comley
- COMM00390_02_28_2022 Gregory Caplan Ltr-Low St./Bright Horizons access to Fuller Field
- ODNC00112_05_31_2022 Amendment Brown Sq Way No Parking
- ODNC00113_05_31_2022 Amendment Brown Sq Way Drop Off Zone



CITY OF NEWBURYPORT
OFFICE OF THE MAYOR
SEAN R. REARDON, MAYOR

60 PLEASANT STREET - P.O. BOX 550
NEWBURYPORT, MA 01950
978-465-4413 PHONE
MAYOR@CITYOFNEWBURYPORT.COM

To: President and Members of the
City Council

From: Sean R. Reardon, Mayor

Date: June 13, 2022

Subject: Confirmatory Re-Appointment

A large, vertical handwritten signature in black ink, reading "Sean R. Reardon".

I hereby re-appoint, subject to your approval, the following
named individual as a member of the Harbor Commission.
This term will expire on May 31, 2025.

George Sass
37 Jefferson Street
Newburyport, MA 01950

George Sass Jr.

37 Jefferson St.
Newburyport, MA 01950
401.835.2803
gsassjr@gmail.com

Skills Summary

Marketing communications and content leader with extensive experience in digital strategy and channel development, creative execution, turnaround operations, and brand development. Innovative problem solver with deep management experience gained from working with Fortune 100 companies to fast-paced start-ups. Excellent background in content development, web development, writing, branding, and producing new streams of revenue. Strong operations background in budgeting, forecasting, and P/L management.

PROFESSIONAL EXPERIENCE

June 2019-Present

President, Blue Creative Group, Newburyport, MA

- Lead full-service marketing agency with global clients focused on digital marketing, strategic development, design, SEO, public relations, content development, and business strategy for 35 clients
- Manage web development team. Averaging one new web site every four weeks
- Work with clients on developing and implementing business strategies that couple sales objectives and data, with fully developed marketing strategy.

April 2019-Present

Expert-in-Residence, Fresnel Growth Capital, Newburyport, MA

- Serve as portfolio manager on media portfolio companies Fresnel Growth Capital, a holding company formed by three family offices. Includes acting CEO of Tring Live Media and Board Advisor to Perpetual Sports Network
- Develop marketing strategies for investor backed start-ups to pull companies out of incubation to start-up phases
- Lead market research initiatives to provide marketing insights for new investment considerations
- Own the company's communication tools, including ghost writing blogs, white papers, and investor focused communications

January 2018-May 2019

Global Marketing Director, Grand Banks Yachts, Johor, Malaysia

- Completed an 18-month contracted assignment to develop in-house marketing department in Asia, Australia, the EU, and US. Created five-year strategic marketing plan, and executed initial phases of marketing and digital media plan
- In conjunction with KPMG auditors, created full-proof processes and systems that were not in place to provide better oversight and transparency within the sales and marketing departments
- Project lead for Sales Force development and roll-out
- Wrote and produced all new collateral for 21 models, implemented new ad creative and overall branding campaigns for individual markets
- Implemented SEO strategy across two brand web sites, combined with content strategy and outbound enews campaign. Organic traffic increased 44% over six months
- Built leadership team that continues to thrive and I continue to work with on consulting basis

January 2016-January 2018

Vice President, Managing Director, Catapult Creative Labs/AIM Media, Boulder, CO

- Launched start-up Creative Services division within established enthusiast media company from ground-up. Doubled revenue YOY and delivered record profit for AIM Media

- Managed daily operations and new business development program
- Responsible for P/L management, revenue generation, forecasting for board of directors, and budgeting
- Strategic lead for key accounts, including The Four Seasons, Deer Valley Resort, Solitude Mountain Resort, The Balsams Resort, WF Young, Natural Retreats, Wiemann Metalcraft, Merle Wood & Associates, Berkshire Hathaway Home Properties, Luitpold Pharmaceuticals, and Weatherbeeta Equine
- Incorporating research and best practices, developed strategic plans for clients across social media, television, email, web, print, and events
- Honored as a Folio 100 Innovator. Recognizing key media leaders
- Built and mentored creative, digital, and account services team

February 2012-March 2016 **Editorial Director, AIM Media, Editor-in-Chief, Power & MotorYacht, Essex, CT**

- Tasked with due diligence duties during purchase of *Power & Motoryacht* by Active Interest Media and developing strategy with team to turn around brand from seven figure loss to profitability. Succeeded in 10 months
- Won multiple editorial awards and transitioned *Power & Motoryacht* to market share leader with leading subscription renewal and increased newsstand sales
- Launched new digital program and achieved record traffic numbers within eight months of launch
- Created concept, and with editor, launched the award-winning *Anglers Journal Magazine*
- Executive Producer and co-founder of Discovery Channel's *Anglers Journal Television*. Developed content plan and revenue stream. Achieved record Nielsen Ratings
- Lead re-designs of *Sail Magazine* and *PassageMaker*
- Wrote and edited multiple features each week
- Worked with boatbuilders around the world on media communications strategies to engage with North American market
- Managed editorial, production, and subscription departments, creating a cohesive, fun, goal driven team with 38 direct reports

December 2007-February 2012 **Editor-in-Chief, Yachting Magazine, New York, NY**

- Responsible for creative strategy for oldest nautical magazine in North America
- Brought in by new corporate owners to turn around magazine and return to leadership role and profitability
- Oversaw re-design and assembled highly motivated team that lead to magazine's overtaking media marine market share
- Won numerous industry awards for design and content
- Created processes to realign expenses, increasing quality of product, adding staff headcount, while reducing expenses by \$1.1 million
- Managed division P/L
- Member of parent company acquisition team during due diligence stage and coupling new investments to parent company structure, including IT, staffing, financials, and budgeting
- Grew paid subscription renewals from 51% to 92%

September 2004-Dec 2007 **Partner, Force 12 Media, LLC, Fairfield, CT**

- With business partner, purchased and re-launched *Boat Digest*, a regional niche magazine dedicated to educating serious boaters. Took to national circulation

- With business partners, developed and launched *Center Console Angler Magazine*. Grew into seven figure business. Responsible for all operations, finance department, securing financing, P/L, magazine production, and editorial staff of 13
- Served as editor-in-chief of *Boat Digest*, writing and driving editorial vision
- In 2006, launched digital only version focusing on how-to and servicing for powerboaters
- Developed and launched new web sites and digital assets

February 2000-September 2004

Executive Editor, Time 4 Media/ Yachting Magazine Greenwich, CT

- Responsible for content generation and shaping content each month
- Supervised staff of 13, including production, web and senior editors
- Worked directly with freelancers, assigning and editing features and columns
- Edited all content for clarity, and quality, and ensured it was engaging for affluent demographic of magazine
- Wrote several features per issue
- Managed editorial operations budget

April 1995- February 2000

Marketing Director, Grand Banks Yachts, LTD, Southport, CT

- Responsible for marketing planning and execution for luxury boat builder.
- Oversaw marketing budget
- Developed strategic marketing plans for North American, individual European and Asian markets
- Wrote and produced all ads and collateral materials, including quarterly newsletter.
- Project managed boat files with sales broker and factory
- Managed and produced all public relations, including Asia, Europe, and North America
- Responsible for managing all global photoshoots
- Created enhanced boat show plan and managed all shows
- Developed and managed yearly marketing budget with finance
- Developed branding for new Aleutian Class from initial product development phase, pre-production market research to execution of all marketing materials and messaging
- Created, hosted and managed various owner events

January 1993-April 1995

Account Director, Sass Communications, Annapolis, MD

- Co-managed and developed marketing programs for several national brands, including Umbro Soccer, STX Lacrosse, Rouse Corporation, Raytheon Marine, Simrad Electronics, Menra Mills, Adcom Stereo, Head Sports, Mohamed Ali Enterprises, Delsey Luggage, Washington Wizards, and Lee Apparel
- Produced ad copy, press releases, edited and managed large apparel catalogs for Umbro and STX
- Worked at the retail level developing and executing in-store promotions with Sears, JC Penny, West Marine, Sports Authority and smaller outlets
- Coordinated marketing activities and managed co-op program on behalf of Lee Sportswear with the NFL, NASCAR, MLB, NBA, and NHL
- Coordinated television and radio production

Volunteer

- *Harbor Commission, Newburyport, MA*
- *Board of Directors; Planet Fitness New Zealand*



RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2022 MAY -5 PM 5:00



CITY OF NEWBURYPORT
60 PLEASANT STREET
NEWBURYPORT, MA 01950

BLOCK PARTY APPLICATION

Please fill out the application below and obtain the approving signatures for the street closure. Mail or drop off the completed signed application at: City Clerk's Office, City Hall, 60 Pleasant St., Newburyport, MA 01950 at least 8 business days prior to a City Council meeting. The requested Block Party needs approval by the City Council. For any questions, please contact The City Clerk's Office at (978)465-4407.

DATE OF REQUEST: 5/5/22

CONTACT INFORMATION

FIRST AND LAST NAME: Milissa Duncan

MAILING ADDRESS: 14 Dove St., Newburyport

PHONE NUMBER: 978.764.1019

E-MAIL ADDRESS: milissaduncan@hotmail.com

BLOCK PARTY INFORMATION

BLOCK PARTY DATE: Sat. Aug. 6

DESIRED STREET CLOSING LOCATION: Dove St between Monroe

Please indicate cross streets when requesting the closing of street sections

& Merrimac

STREET TO BE BARRICADED: Dove St.

DESIRED STREET CLOSING TIME: 5:30pm - 10pm

Block Parties should run no later than 10:00 p.m.

REGULATIONS

By signing, I agree that I am a legal adult 18 years of age or older and understand this permit does not release me of any liability for damages that may result from the conducting of this Block Party. Further, I agree to comply with all requirements listed below:

I understand that applications for block party permits may take up to four weeks to process.

Block parties will be conducted only on low-volume residential streets, dead-end streets, or cul-de-sacs, No thoroughfares or collector streets may be used.

It is hereby agreed that, by signing and presenting this application, signer(s) represents to the City of Newburyport that the following statements are true and correct, and agrees to and will abide by the following:

1. All residents living on the street or block for which the party is planned request the Block party, or have been contacted and do not object to the Block Party.
2. To be responsible for placement, maintenance and removal of barricades.
3. A block party permit does not allow the sale of alcohol or the consumption of alcohol on public property (in city streets, sidewalks, parks, etc.) alcohol is allowed only on private property. All state and city alcohol laws still apply during Block Parties.
4. Amplified music shall be permitted with permission of the City Council.
5. To leave AT LEAST a TWELVE (12) FOOT AISLE in the street to permit passage of emergency vehicles or vehicles of residents. Failure to maintain a ten foot aisle during the entire period of the party will necessitate denial of requests for subsequent block parties. Public safety personnel will monitor the party for strict adherence to this rule.
6. To maintain adult supervision at all times during the party.
7. Applicant(s) shall be responsible for the pick-up of trash and garbage within 2 hours of the end the party.
8. Streets may not be barricaded later than 10:00 P.M.
9. No residents of the area designated shall be prohibited from attending the party.
10. No such activity may be conducted within 500 feet of any school, church, hospital, nursing home or similar operation unless endorsed by the management of such institution e
11. Only approved readily removable Barricades will be permitted such as, orange cones and sawhorses with a sign. No vehicles will permitted to be used as a Barricade.
12. Block parties are permitted 10AM-10PM

Applicant Signature Melissa Duncan Date 5/5/22

APPROVAL SIGNATURES REQUIRED FOR STREET CLOSURE

CITY MARSHALL
4 Green Street

[Signature]

FIRE CHIEF
Greenleaf Street

[Signature]

DEPUTY DIRECTOR
1 Perry Way

[Signature]

CITY CLERK
60 Pleasant St.

[Signature]

City use only:

Approved _____ -Denied _____ Date _____

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

NEWBURYPORT SPECIAL EVENT APPLICATION

2022 MAY 23 AM 11:15

Tel.

Fax.

(For Street Closure or Any Use of a Public Way - Please complete page 3 of this application)

NAME OF EVENT: Newburyport Lions Bed Race

Date: August 4, 2022 Time: from 5:00 PM to 8:00 PM

Rain Date: August 5, 2022 Time: from 5:00 PM to 8:00 PM

2. Location*: FEDERAL STREET

*Please Note: If the location is a public park or the rail trail, please also contact the Parks Department

3. Description of Property: STREET Public Private

4. Name of Organizer: Newburyport LIONS CLUB City Sponsored Event: Yes No

Contact Person Robert Colomycki

Address: 7 Goldsmith Dr. Telephone: 978-462-7356

E-Mail: jobohyeat@comcast.net Cell Phone: 617-275-9217

Day of Event Contact & Phone: Bob Colomycki cell # 617-275-9217

5. Number of Attendees Expected: Between 20 to 25 beds

6. MA Tax Number: 1198893056

7. Is the Event Being Advertised? yes Where? social media, news paper, radio

8. What Age Group is the Event Targeted to? 20 - to - 65 years old.

9. Have You Notified Neighborhood Groups or Abutters? Yes No Who? _____

ACTIVITIES: (Please check where applicable.) Subject to Licenses & Permits from Relevant City Departments

A. Vending*: Food N/A Beverages N/A Alcohol N/A Goods N/A Total # of Vendors _____

*If checked, signature from Health Director required (Page 3)

B. Entertainment: (Subject to City's Noise Ordinance.) Live Music _____ DJ _____ Radio/CD _____

Performers N/A Dancing _____ Amplified Sound _____ Stage _____

C. Games /Rides: Adult Rides _____ Kiddie Rides _____ Games _____ Raffle _____

Other N/A Total # _____

Name of Carnival Operator: _____

Address: N/A

Telephone: _____

D. Organizer is responsible for clean-up during and after event. All trash must be collected and removed from event location immediately at the end of the event unless prior written agreement had been made with the Department of Public Services (DPS).

Will you be conducting the clean-up for this event? Yes No

If yes:

- a) How many trash receptacles will you be providing? None
- b) How many recycling receptacles will you be providing? None
- c) Will you be contracting for disposal of : **Trash** Yes No **Recycling** Yes No
- i. If yes, size of dumpster(s): **Trash** _____ **Recycling** _____
- ii. Name of disposal company: **Trash** _____ **Recycling** _____
- iii. If no, will you remove trash & recycling with organizers' cars or trucks? Yes _____ No _____
- iv. If no, where will the trash & recycling be disposed ? DONS will pick up and dispose of all trash

If no:

- a) # of trash container(s) to be provided by DPS N/A
- b) # of recycling container(s) to be provided by Recycling Office N/A
- c) \$45.00/hr/DPS employee charge must be paid by the organizer to DPS in advance of the event (Fee for Special Events). The hours required for the event will be determined by DPS.

All fees must be paid prior to the event. Check or money order is payable to the City

of Newburyport. E. Portable Toilets: (Each cluster of portable toilets must include at least one ADA accessible toilet)

_____ Standard # _____ ADA accessible

Name of company providing the portable toilets: _____

FOR STREET CLOSURE OR ANY USE OF A PUBLIC WAY

PARADE _____ ROAD RACE _____ ~~WALKATHON~~ BED RACE ✓

1. Name of the Group or Person Sponsoring the ^{Bed} Road Race, Parade, Walkathon: Newburyport Lions Club

2. Name, Address & Daytime Phone Number of Organizer: Bob COLOMYCKI
7 GOLDSMITH DR.
NBPT MA Tel. 978-462-7356

3. Name, Address & 24/7 Telephone Number of Person Responsible for Clean Up Lion club members will clean up.
Same as #2

4. Date of Event: AUGUST 4, 2022 Expected Number of Participants: 20-25 beds

5. Start Time: 5:00 PM Expected End Time: 8:00 PM

6. ^{Bed} Road Race, Parade or Walkathon Route: (List street names & **attach map of route**): Federal Street

7. Locations of Water Stops (if any): N/A

8. Will Detours for Motor Vehicles Be Required? yes If so, where? Top & bottom of Federal

9. Formation Location & Time for Participants: Top of Federal 5:00 PM

10. Dismissal Location & Time for Participants: Bottom of Federal 8:00 PM

11. Additional Parade Information:
- Number of Floats: N/A
 - Locations of Viewing Stations: _____
 - Are Weapons Being Carried: Yes _____ No ✓
 - Are Marshalls Being Assigned to Keep Parade Moving: Yes _____ No ✓

APPROVAL SIGNATURES REQUIRED FOR STREET CLOSURE OR ANY USE OF A PUBLIC WAY

CITY MARSHAL [Signature] 4 Green St. FIRE CHIEF [Signature] 40 Greenleaf St.
 DEPUTY DIRECTOR [Signature] 16A Perry Way CITY CLERK [Signature] 60 Pleasant St.
 HEALTH DIRECTOR _____ 60 Pleasant St. (only needed when Food & Beverage Vendors are included in the event)

DEPARTMENT APPROVAL (for Committee Member use only):

It will be necessary for you to obtain permits or certificates from the following Departments: Please note that costs for some City support services during an event are an estimate only. Some Departments may forward an invoice for services rendered at the completion of the event, and others may require advance payment.

Approval
Required

Date: _____ Signature: _____

- _____ 1. Special Events: _____
- _____ 2. Police: _____
Is Police Detail Required: _____ # of Details Assigned: _____
- _____ 3. Traffic, Parking & Transportation: _____
- _____ 4. ISD/Health: _____
- _____ 5. Recycling: _____
- _____ 6. ISD/Building: _____
- _____ 7. Electrical: _____
- _____ 8. Fire: _____
Is Fire Detail Required: _____ # of Details Assigned: _____
- _____ 9. Public Works: *Fee for Special Events: \$45/hr/DPS employee for trash handling/staging etc. may apply*
Yes: \$ _____ due on _____ No Fee for Special Events applies
Other requirements/instructions per DPS _____
- _____ 10. Parks Department: _____
- _____ 11. License Commission _____

The departments listed above have their own application process.
Applicants are responsible for applying for and obtaining all required
permits & certificates from the various individual departments

Sec. 13-97. - Road races, walkathons, bicycle and other multidisciplined events.

(a) *Short title.* This section may be cited as the "road races, walkathons and bicycle events."

(b) *Purpose and intent.* The use of city streets and sidewalks for the purpose of road races, walkathons or bicycle tours are positive events that promote exercise, general good health and Newburyport as a destination. These events do from time to time create hardships, impacting neighborhoods and traffic. To create a balance between conflicting interests, by safeguarding participants, residents, visitors and the City of Newburyport, this section will define and codify the procedure for the benefit of all.

(c) *Definitions.*

(1) *Road race.* A competitive or non-competitive running event that utilizes the streets, sidewalks and/or crosses over streets or sidewalks within city limits and in which an entry fee is required or charitable donation is solicited or suggested.

(2) *Walkathon.* A competitive or non-competitive walk event that utilizes the streets, sidewalks and/or crosses over streets or sidewalks within city limits and in which an entry fee is required or charitable donation is solicited or suggested.

(3) *Bicycle race.* A competitive or non-competitive bicycling event that utilizes the streets, sidewalks and/or crosses over streets or sidewalks within city limits and in which an entry fee is required or charitable donation is solicited or suggested.

(4) *Multidisciplined event.* A competitive or non-competitive event requiring or offering running, walking, biking, swimming or any combination thereof in which an entry fee is required or a charitable donation is solicited or suggested.

(5) *Event.* Any road race, walkathon, bicycle race, multi-disciplined event as defined above.

(d) *Limitations.*

(1) *Procedure.* All events shall, through that event's organizer, board of directors, charity foundation or designee ("organizer") apply for city council authorization to hold the event through the office of the city clerk no later than sixty (60) days before the event's proposed date. There shall be a grace period through December 31, 2017, during which applications will be accepted beyond the prescribed due date. Prior to application with the city council, the event shall file and receive approval from all applicable city departments, boards, and commissions. Copies of such approved applications, including along with documentation of any fees, donations, in-kind donations paid as part of said application(s), shall be included as part of the city council application.

The date of application is the date a completed application is submitted to the city clerk's office and stamped by the same. The city clerk, upon review of the completed form, will place the application on the next regular city council agenda, even if such submission is a late file. Upon following the procedures of the council, as deemed appropriated in the sole judgment of the council, the application will be considered approved if the council votes favorably by majority. The application shall name one (1) person responsible on the application and shall provide contact information to include name, address, email address, and telephone number.

(2) *Exemptions.* Each event organizer or organization shall comply with this ordinance and no exemptions will be permitted.

(3) *Course map.* All applications shall be accompanied by a legible, precise course map showing the event route, water stops, refreshment stops, and so-called "port-a-potties". The course map shall also include any road closures, detours and parking areas. The course map shall be approved by police, fire, department of public services, parks commission and harbormasters departments prior to submission to the city clerk.

(4) *Electronic amplifier.* Electronic amplifiers, loudspeakers and bullhorn use shall be requested at time of application. Under no circumstances will they be used for public address announcements or music before 8:00 a.m., except for Sundays when electronic amplifiers, loud speakers or bullhorns will not be used for public address announcements or music before 9:00 a.m.

(5) *Road closure.* No ways, public or private, boat ramps or parking lots controlled or patrolled by the city shall be closed without authorization. Authorization shall be considered granted only if said closure(s) are contained in the approved permit. It is the sole responsibility of the race organizers to notify residents fourteen (14) days in advance that neighborhood roads will be closed if no alternate route is available to those residents. Notification shall be made by race organizers by informational packet drop-off at all residences that may be impacted, including, but not limited to, road closures, restricted driveway access, parking restrictions, or noise. In the case of multi-family residences with so-called security doors, notification will be sufficient at said security door. A copy of the notification shall be provided to the city clerk and, when possible, posted on the city website and distributed via email. Further,

a list of all streets notified shall be provided to the city clerk to be date stamped and appended to the application record. Press releases and other media type notifications are encouraged.

(6) *Insurance.* All events shall have an insurance policy or rider in effect for the event naming the "City of Newburyport" as an additional insured. The policy shall be no less than two million dollars (\$2,000,000.00).

(7) *Event termination.* If in the judgment of the city marshal, fire chief or department of public services (DPS) director or designees thereof determine that an event is unsafe due to existing conditions, that event may be stopped, terminated or suspended. In the case of a multidiscipline event such as a triathlon, the harbormaster or his/her designee may likewise stop, terminate or suspend the swimming portion for cause.

(8) *Event and traffic security.* The city marshal, fire chief, DPS director or in the case of a triathlon, the harbormaster can require special duty personnel to assist in the organizing and coordinating the safety and security of the event. All special duty assignments will be paid by the event organizers.

(9) *Clean-up.* The event organizers shall be responsible for post event trash collection, removal of signage, directional arrows, advertisements or other promotional material associated with the event.

10) *Parking.* The event organizers shall be responsible for including parking instructions in materials disseminated to event participants. If the event is happening within one-half mile of municipal parking, then participants shall be asked to park at such parking facilities.

(11) *Notification of previous event organizers.* To the extent reasonably possible, the city clerk shall notify all event organizers from events held from 2014—2016, inclusive, by a one-time phone, email, or letter of the new application timeline and other requirements.

(12) *Simplification.* Departments are encouraged to unify their respective applications into a singular application, managed and distributed by the city clerk's office.

(13) *Americans with Disabilities Act.* Event organizers are reminded of the importance of and expectation of adherence to the Americans with Disabilities Act of 1990 (42 U.S.C § 12101) and subsequent applicable amendments.

(e) *Enforcement.*

(1) *Regulations.* Consistent with this section, the city shall promulgate regulations to enforce and otherwise implement the provisions of this section upon passage by the city council. Any event previously approved by city council shall be deemed permitted.

(2) *Warning.* In the circumstance that this section is violated, the enforcement may consist of a warning. Any warnings issued for violation(s) will be reported to the city clerk and city council and may be used as a factor in future application approvals and denials.

(3) *Noncriminal disposition.* If the city determines that a violation has occurred in which a noncriminal violation is issued, the named event organizer shall be penalized by a non-criminal disposition as provided in Massachusetts General Law as adopted by the City of Newburyport as a general ordinance in section 1-17 of chapter 1 of the Code or Ordinances of the City of Newburyport in the amounts set herein in subsection (e)(4) below.

(4) *Violation.* The non-criminal violation shall be one hundred dollars (\$100.00) for the first offense and two hundred fifty dollars (\$250.00) for second and subsequent offenses. Any non-criminal citations issued for violation(s) will be reported to the city clerk and city council and shall be used as a factor in future application approvals and denials.

(5) *Failure to notify.* If the event fails to notify residents and provide documentation to the city clerk, pursuant to subsection (d)(5) above, shall render that organization ineligible to receive an event permit for a period of twelve (12) months unless special leave is granted by two-thirds supervote of the city council.

I fully understand and agree to all the terms set forth in this application. The information that I have provided is truthful and accurate. I accept all responsibility related to this event.

Signed:  Date: 05/19/22



RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2022 MAY -9 PM 1:30

CITY OF NEWBURYPORT
60 PLEASANT STREET
NEWBURYPORT, MA 01950

BLOCK PARTY APPLICATION

Please fill out the application below and obtain the approving signatures for the street closure. Mail or drop off the completed signed application at: City Clerk's Office, City Hall, 60 Pleasant Street, Newburyport, MA 01950 **at least eight (8) business days prior** to a City Council meeting. The requested Block Party needs approval by the City Council. For any questions, please contact The City Clerk's Office at (978) 465-4407.

| | |
|--|--|
| DATE OF REQUEST: | <u>5/9/2022</u> |
| <u>CONTACT INFORMATION</u> | |
| FIRST AND LAST NAMES: | <u>Christina Manning</u> |
| MAILING ADDRESS: | <u>31 Howard St.</u> |
| PHONE NUMBER: | <u>978-790-5828</u> |
| E-MAIL ADDRESS: | <u>christina216@gmail.com</u> |
| <u>BLOCK PARTY INFORMATION</u> | |
| BLOCK PARTY DATE: | <u>Friday 6/17/2022</u> |
| DESIRED STREET CLOSING LOCATION: | <u>Howard St (Forrester to Butler)</u> |
| Please indicate cross streets when requesting the closing of street sections | |
| STREET TO BE BARRICADED: | <u>Howard St.</u> |
| DESIRED STREET CLOSING TIME: | <u>Noon - 9pm</u> |
| Block Parties should run no later than 10:00 p.m. | |

REGULATIONS

By signing, I agree that I am a legal adult 18 years of age or older and understand this permit does not release me of any liability for damages that may result from the conducting of this Block Party. Further, I agree to comply with all requirements listed below:

I understand that applications for block party permits may take up to four (4) weeks to process.

Block parties will be conducted only on low-volume residential streets, dead-end streets, or cul-de-sacs. No thoroughfares or collector streets may be used.

It is hereby agreed that, by signing and presenting this application, signer(s) represents to the City of Newburyport that the following statements are true and correct, and agrees to and will abide by the following:

1. All residents living on the street or block for which the party is planned request the block party, or have been contacted and do not object to the Block Party.
2. To be responsible for placement, maintenance and removal of barricades.
3. A block party permit does not allow the sale of alcohol or the consumption of alcohol on public property (in city streets, sidewalks, parks, etc.) alcohol is allowed only on private property. All state and city alcohol laws still apply during Block Parties.
4. Amplified music shall be permitted with permission of the City Council.
5. To leave **AT LEAST A TWELVE (12) FOOT AISLE** in the street to permit passage of emergency vehicles or vehicles of residents. Failure to maintain a ten (10) foot aisle during the entire period of the party will necessitate denial of requests for subsequent block parties. **Public safety personnel will monitor the party for strict adherence to this rule.**
6. To maintain adult supervision at all times during the party.
7. Applicant(s) shall be responsible for the pick-up of trash and garbage within two (2) hours of the end of the party.
8. Streets may not be barricaded later than 10:00 P.M.
9. No residents of the area designated shall be prohibited from attending the party.
10. No such activity may be conducted within five hundred (500) feet of any school, church, hospital, nursing home or similar operation unless endorsed by the management of such institution.
11. Only approved readily removable Barricades will be permitted such as orange cones and sawhorses with a sign. No vehicles will be permitted to be used as a Barricade.
12. Block parties are permitted 10 A.M. – 10 P.M.

Applicant signature: Christina Manning Date: 4/28/22

APPROVAL SIGNATURES REQUIRED FOR STREET CLOSURE

CITY MARSHALL
4 Green Street

[Signature] 4/27/22

FIRE CHIEF
0 Greenleaf Street

[Signature] 4/29/22

DEPUTY DIRECTOR
16A Perry Way

[Signature] 5/9/22

CITY CLERK
60 Pleasant Street

[Signature]

City use only:

Approved _____ Denied _____ Date _____



We are thrilled to be bringing back Riverfest along the Waterfront of Newburyport this Summer. On July 23, we will be hosting this popular all day, family-friendly concert.

We have met with the Mayor's office, the Police & Fire Departments in person to discuss preparations and impact.

The River, understands the value in hosting this event in Newburyport, and is looking forward to supporting our community with economic impact and opportunity to attract regional music lovers.

The River once again bringing Budweiser and Tito's in as premiere sponsors. Both partners are very well aware of our City's need to maintain a calm, peaceful event.

The River will be hiring Tips Certified bartenders to manage all VIP areas and beer gardens.

Thank you for your consideration and support.

Best,
Erin Duggan
GNCCI
415.577.4112 – eduggan@newburyportchamber.org

NEWBURYPORT SPECIAL EVENT APPLICATION

Tel.

Fax.

(For Street Closure or Any Use of a Public Way - Please complete page 3 of this application)

NAME OF EVENT: Riverfest

Date: July 23, 2022 Time: from 12pm to 7pm

Rain Date: _____ Time: from _____ to _____

2. Location*: Waterfront Park

*Please Note: If the location is a public park or the rail trail, please also contact the Parks Department

3. Description of Property: Park along Newburyport Waterfront Public Private _____

4. Name of Organizer: WYRV/92.5 The River City Sponsored Event: Yes _____ No _____

Contact Person

Address: ERIN DUGGAN Telephone: 415 577 4112

E-Mail: eduggan@newburyportchamber.org Cell Phone: 415 577 4112

Day of Event Contact & Phone: _____ Donald 617 816 0040

5. Number of Attendees Expected: 4,999

6. MA Tax Number: _____

7. Is the Event Being Advertised? Yes Where? 92.5, Social Media, Radio, Web

8. What Age Group is the Event Targeted to? All Ages

9. Have You Notified Neighborhood Groups or Abutters? Yes _____ No Who? _____

ACTIVITIES: (Please check where applicable.) Subject to Licenses & Permits from Relevant City Departments

A. Vending*: Food Beverages Alcohol Goods Total # of Vendors 35

*If checked, signature from Health Director required (Page 3)

B. Entertainment: (Subject to City's Noise Ordinance.) Live Music DJ Radio/CD

Performers Dancing _____ Amplified Sound Stage

C. Games /Rides: Adult Rides N/A Kiddie Rides N/A Games N/A Raffle N/A

Other _____ Total # _____

Name of Carnival Operator: N/A

Address: _____

Telephone: _____

D. Organizer is responsible for clean-up during and after event. All trash must be collected and removed from event location immediately at the end of the event unless prior written agreement had been made with the Department of Public Services (DPS).

Will you be conducting the clean-up for this event? Yes No _____

If yes:

- a) How many trash receptacles will you be providing? DPS Providing + Managing
- b) How many recycling receptacles will you be providing? 1
- c) Will you be contracting for disposal of : Trash Yes No Recycling Yes No
- i. If yes, size of dumpster(s): Trash Recycling 30 YARD Dumpster
- ii. Name of disposal company: Trash G Mella Recycling Dumpster
- iii. If no, will you remove trash & recycling with organizers' cars or trucks? Yes No
- iv. If no, where will the trash & recycling be disposed ? _____

If no:

- a) # of trash container(s) to be provided by DPS DPS To determine
- b) # of recycling container(s) to be provided by Recycling Office DPS To Determine
- c) \$45.00/hr/DPS employee charge must be paid by the organizer to DPS in advance of the event (Fee for Special Events). The hours required for the event will be determined by DPS.

All fees must be paid prior to the event. Check or money order is payable to the City

of Newburyport. E. Portable Toilets: (Each cluster of portable toilets must include at least one ADA accessible toilet)

~~ADA~~ 24 Standard # 4 ADA accessible

Name of company providing the portable toilets: The Shed Portable Sanitation

FOR STREET CLOSURE OR ANY USE OF A PUBLIC WAY

Concert + vendors
PARADE _____

ROAD RACE _____

WALKATHON _____

1. Name of the Group or Person Sponsoring the Road Race, Parade, Walkathon:

The River

2. Name, Address & Daytime Phone Number of Organizer:

Donald Sauveur
30 How St. Haverhill MA 01830

(C) (W) 617 816 0040 (2)

3. Name, Address & 24/7 Telephone Number of Person Responsible for Clean Up

Tony Ferrari
16A Perry Way Newburyport MA 01950
978 465 4463

4. Date of Event: _____ Expected Number of Participants: _____

5. Start Time: 8 AM Expected End Time: 8 PM

6. Road Race, Parade or Walkathon Route: (List street names & **attach map of route**):

Street closure request to support vendors +
Sponsor set up.

7. Locations of Water Stops (if any): N/A

8. Will Detours for Motor Vehicles Be Required? Yes If so, where? Memiac From Green to State

9. Formation Location & Time for Participants: Set up by 10am. Removed by 7pm.

10. Dismissal Location & Time for Participants: Memiac St.

11. Additional Parade Information:

- Number of Floats: N/A
- Locations of Viewing Stations: Firehouse Balcony
- Are Weapons Being Carried: Yes _____ No X
- Are Marshalls Being Assigned to Keep Parade Moving: Yes _____ No _____ N/A

APPROVAL SIGNATURES REQUIRED FOR STREET CLOSURE OR ANY USE OF A PUBLIC WAY

CITY MARSHAL [Signature] 5/31/22 4 Green St. FIRE CHIEF [Signature] 5/31/22 0 Greenleaf St.

DEPUTY DIRECTOR [Signature] 5/31/22 16A Perry Way CITY CLERK _____ 60 Pleasant St.

HEALTH DIRECTOR _____ 60 Pleasant St. (only needed when Food & Beverage Vendors are included in the event)

DEPARTMENT APPROVAL (for Committee Member use only):

It will be necessary for you to obtain permits or certificates from the following Departments: Please note that costs for some City support services during an event are an estimate only. Some Departments may forward an invoice for services rendered at the completion of the event, and others may require advance payment.

Approval Required

Date: 5/31/22 Signature: Eoin Deegan

1. Special Events: Chamber of Commerce: Eoin Deegan

2. Police: _____
 Is Police Detail Required: Yes # of Details Assigned: 14

_____ 3. Traffic, Parking & Transportation: _____

_____ 4. ISD/Health: _____

_____ 5. Recycling: _____

_____ 6. ISD/Building: _____

7. Electrical: _____

8. Fire: 3 FF on Beat 2 FF on Shore * Contact Cataldo Ambulance *
 Is Fire Detail Required: Yes # of Details Assigned: 5 For Ambulance

_____ 9. Public Works: Fee for Special Events: \$45/hr/DPS employee for trash handling/staging etc. may apply
 Yes: \$ 2100- due on 7/23/22 No Fee for Special Events applies
 Other requirements/instructions per DPS _____

_____ 10. Parks Department: _____

_____ 11. License Commission _____

The departments listed above have their own application process. Applicants are responsible for applying for and obtaining all required permits & certificates from the various individual departments

Sec. 13-97. - Road races, walkathons, bicycle and other multidisciplined events.

(a) *Short title.* This section may be cited as the "road races, walkathons and bicycle events."

(b) *Purpose and intent.* The use of city streets and sidewalks for the purpose of road races, walkathons or bicycle tours are positive events that promote exercise, general good health and Newburyport as a destination. These events do from time to time create hardships, impacting neighborhoods and traffic. To create a balance between conflicting interests, by safeguarding participants, residents, visitors and the City of Newburyport, this section will define and codify the procedure for the benefit of all.

(c) *Definitions.*

(1) *Road race.* A competitive or non-competitive running event that utilizes the streets, sidewalks and/or crosses over streets or sidewalks within city limits and in which an entry fee is required or charitable donation is solicited or suggested.

(2) *Walkathon.* A competitive or non-competitive walk event that utilizes the streets, sidewalks and/or crosses over streets or sidewalks within city limits and in which an entry fee is required or charitable donation is solicited or suggested.

(3) *Bicycle race.* A competitive or non-competitive bicycling event that utilizes the streets, sidewalks and/or crosses over streets or sidewalks within city limits and in which an entry fee is required or charitable donation is solicited or suggested.

(4) *Multidisciplined event.* A competitive or non-competitive event requiring or offering running, walking, biking, swimming or any combination thereof in which an entry fee is required or a charitable donation is solicited or suggested.

(5) *Event.* Any road race, walkathon, bicycle race, multi-disciplined event as defined above.

(d) *Limitations.*

(1) *Procedure.* All events shall, through that event's organizer, board of directors, charity foundation or designee ("organizer") apply for city council authorization to hold the event through the office of the city clerk no later than sixty (60) days before the event's proposed date. There shall be a grace period through December 31, 2017, during which applications will be accepted beyond the prescribed due date. Prior to application with the city council, the event shall file and receive approval from all applicable city departments, boards, and commissions. Copies of such approved applications, including along with documentation of any fees, donations, in-kind donations paid as part of said application(s), shall be included as part of the city council application.

The date of application is the date a completed application is submitted to the city clerk's office and stamped by the same. The city clerk, upon review of the completed form, will place the application on the next regular city council agenda, even if such submission is a late file. Upon following the procedures of the council, as deemed appropriated in the sole judgment of the council, the application will be considered approved if the council votes favorably by majority. The application shall name one (1) person responsible on the application and shall provide contact information to include name, address, email address, and telephone number.

(2) *Exemptions.* Each event organizer or organization shall comply with this ordinance and no exemptions will be permitted.

(3) *Course map.* All applications shall be accompanied by a legible, precise course map showing the event route, water stops, refreshment stops, and so-called "port-a-potties". The course map shall also include any road closures, detours and parking areas. The course map shall be approved by police, fire, department of public services, parks commission and harbor masters departments prior to submission to the city clerk.

(4) *Electronic amplifier.* Electronic amplifiers, loudspeakers and bullhorn use shall be requested at time of application. Under no circumstances will they be used for public address announcements or music before 8:00 a.m., except for Sundays when electronic amplifiers, loud speakers or bullhorns will not be used for public address announcements or music before 9:00 a.m.

(5) *Road closure.* No ways, public or private, boat ramps or parking lots controlled or patrolled by the city shall be closed without authorization. Authorization shall be considered granted only if said closure(s) are contained in the approved permit. It is the sole responsibility of the race organizers to notify residents fourteen (14) days in advance that neighborhood roads will be closed if no alternate route is available to those residents. Notification shall be made by race organizers by informational packet drop-off at all residences that may be impacted, including, but not limited to, road closures, restricted driveway access, parking restrictions, or noise. In the case of multi-family residences with so-called security doors, notification will be sufficient at said security door. A copy of the notification shall be provided to the city clerk and, when possible, posted on the city website and distributed via email. Further,

a list of all streets notified shall be provided to the city clerk to be date stamped and appended to the application record. Press releases and other media type notifications are encouraged.

(6) *Insurance.* All events shall have an insurance policy or rider in effect for the event naming the "City of Newburyport" as an additional insured. The policy shall be no less than two million dollars (\$2,000,000.00).

(7) *Event termination.* If in the judgment of the city marshal, fire chief or department of public services (DPS) director or designees thereof determine that an event is unsafe due to existing conditions, that event may be stopped, terminated or suspended. In the case of a multidiscipline event such as a triathlon, the harbormaster or his/her designee may likewise stop, terminate or suspend the swimming portion for cause.

(8) *Event and traffic security.* The city marshal, fire chief, DPS director or in the case of a triathlon, the harbormaster can require special duty personnel to assist in the organizing and coordinating the safety and security of the event. All special duty assignments will be paid by the event organizers.

(9) *Clean-up.* The event organizers shall be responsible for post event trash collection, removal of signage, directional arrows, advertisements or other promotional material associated with the event.

(10) *Parking.* The event organizers shall be responsible for including parking instructions in materials disseminated to event participants. If the event is happening within one-half mile of municipal parking, then participants shall be asked to park at such parking facilities.

(11) *Notification of previous event organizers.* To the extent reasonably possible, the city clerk shall notify all event organizers from events held from 2014—2016, inclusive, by a one-time phone, email, or letter of the new application timeline and other requirements.

(12) *Simplification.* Departments are encouraged to unify their respective applications into a singular application, managed and distributed by the city clerk's office.

(13) *Americans with Disabilities Act.* Event organizers are reminded of the importance of and expectation of adherence to the Americans with Disabilities Act of 1990 (42 U.S.C § 12101) and subsequent applicable amendments.

(e) *Enforcement.*

(1) *Regulations.* Consistent with this section, the city shall promulgate regulations to enforce and otherwise implement the provisions of this section upon passage by the city council. Any event previously approved by city council shall be deemed permitted.

(2) *Warning.* In the circumstance that this section is violated, the enforcement may consist of a warning. Any warnings issued for violation(s) will be reported to the city clerk and city council and may be used as a factor in future application approvals and denials.

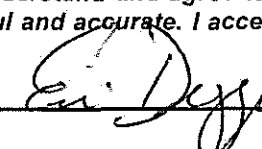
(3) *Noncriminal disposition.* If the city determines that a violation has occurred in which a noncriminal violation is issued, the named event organizer shall be penalized by a non-criminal disposition as provided in Massachusetts General Law as adopted by the City of Newburyport as a general ordinance in section 1-17 of chapter 1 of the Code or Ordinances of the City of Newburyport in the amounts set herein in subsection (e)(4) below.

(4) *Violation.* The non-criminal violation shall be one hundred dollars (\$100.00) for the first offense and two hundred fifty dollars (\$250.00) for second and subsequent offenses. Any non-criminal citations issued for violation(s) will be reported to the city clerk and city council and shall be used as a factor in future application approvals and denials.

(5) *Failure to notify.* If the event fails to notify residents and provide documentation to the city clerk, pursuant to subsection (d)(5) above, shall render that organization ineligible to receive an event permit for a period of twelve (12) months unless special leave is granted by two-thirds supervote of the city council.

I fully understand and agree to all the terms set forth in this application. The information that I have provided is truthful and accurate. I accept all responsibility related to this event.

Signed: _____



Date: _____

5/31/22



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
04/29/2022

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

| | | |
|--|--|-------------------------------|
| PRODUCER East Coast Global Insurance LLC 217 High Street Somersworth, NH 03878 | CONTACT NAME: PHONE (A/C No. Ext): (603) 842-5968 E-MAIL ADDRESS: marcw@ecgillc.com | FAX (A/C No.): (603) 842-5971 |
| | INSURER(S) AFFORDING COVERAGE | |
| INSURED Northeast Broadcasting Company Inc 288 South River Road Bedford NH 03110 | INSURER A: Liberty Mutual Insurance Company | |
| | INSURER B: | |
| | INSURER C: | |
| | INSURER D: | |
| | INSURER E: | |
| | INSURER F: | |


COVERAGES **CERTIFICATE NUMBER:** **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

| INSR LTR | TYPE OF INSURANCE | ADDL INSD | SUBR WVD | POLICY NUMBER | POLICY EFF (MM/DD/YYYY) | POLICY EXP (MM/DD/YYYY) | LIMITS | |
|----------|---|-----------|----------|---------------|-------------------------|-------------------------|--|---|
| A | <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC <input type="checkbox"/> OTHER: | x | x | BKS55783906 | 11/16/2021 | 11/16/2022 | EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 \$ | |
| A | AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input checked="" type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS ONLY <input checked="" type="checkbox"/> NON-OWNED AUTOS ONLY | x | x | BAS 55783906 | 11/16/2021 | 11/16/2022 | COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$ | |
| A | <input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED RETENTION \$ | | x | USO55783906 | 11/16/2021 | 11/16/2022 | EACH OCCURRENCE \$ 3,000,000 AGGREGATE \$ 3,000,000 \$ | |
| A | WORKERS COMPENSATION AND EMPLOYERS' LIABILITY <input type="checkbox"/> ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below | | N/A | x | XWS 55783906 | 11/16/2021 | 11/16/2022 | <input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$ 500,000 E.L. DISEASE - EA EMPLOYEE \$ 500,000 E.L. DISEASE - POLICY LIMIT \$ 500,000 |

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
The Greater Newburyport Chamber of Commerce and Industry, The Firehouse Playhouse, The Waterfront Trust, Seaboard Distributing, Tito's Handmade Vodka, North Shore Bartending, The Newburyport Redevelopment Authority and the City of Newburyport are included as additional insured.

CERTIFICATE HOLDER **CANCELLATION**

| | |
|--|--|
| City of Newburyport 60 Pleasant Street Newburyport, MA 01950 | SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE  <TF> |
|--|--|



9NORT80

OP ID: DN

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
05/24/2022

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

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| | | | |
|---|--------------|--|---|
| PRODUCER John J Walsh Ins Agency, Inc P O Box 4407 Salem, MA 01970-6407 John J. Walsh Ins. Agcy., Inc. | 978-745-3300 | | CONTACT NAME: John J. Walsh Ins. Agcy., Inc. PHONE (A/C, No, Ext): 978-745-3300 FAX (A/C, No): 978-745-9557 E-MAIL ADDRESS: johnjw@walshinsurance.com |
| | | | INSURER(S) AFFORDING COVERAGE INSURER A : Mt Vernon Ins INSURER B : United States Liab Ins Co INSURER C : A.I.M. Mutual Ins. Companies INSURER D : INSURER E : INSURER F : |
| INSURED North Shore Bartending Services Inc. 11 D Russell Street Salem, MA 01970 | | | |

COVERAGES **CERTIFICATE NUMBER:** **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

| INSR LTR | TYPE OF INSURANCE | ADDL SUBR INSD WVD | POLICY NUMBER | POLICY EFF (MM/DD/YYYY) | POLICY EXP (MM/DD/YYYY) | LIMITS | |
|----------|--|--------------------|---------------|-------------------------|-------------------------|--|---|
| A | <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER: | | GL2011640 | 05/01/2022 | 05/01/2023 | EACH OCCURRENCE \$ 1,000,000 | |
| | | | | | | DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 | |
| | | | | | | MED EXP (Any one person) \$ 5,000 | |
| | | | | | | PERSONAL & ADV INJURY \$ 1,000,000 | |
| | | | | | | GENERAL AGGREGATE \$ 2,000,000 | |
| | | | | | | PRODUCTS - COMP/OP AGG \$ 2,000,000 | |
| | | | | | | | |
| | AUTOMOBILE LIABILITY | | | | | COMBINED SINGLE LIMIT (Ea accident) \$ | |
| | <input type="checkbox"/> ANY AUTO OWNED AUTOS ONLY <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS ONLY | | | | | BODILY INJURY (Per person) \$ | |
| | | | | | | BODILY INJURY (Per accident) \$ | |
| | | | | | | PROPERTY DAMAGE (Per accident) \$ | |
| | | | | | | | |
| | UMBRELLA LIAB | | | | | EACH OCCURRENCE \$ | |
| | EXCESS LIAB | | | | | AGGREGATE \$ | |
| | DED | | | | | RETENTION \$ | |
| C | WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below | Y/N | N/A | VWC-100-6025417-2021A | 07/29/2021 | 07/29/2022 | <input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER |
| | | | | | | | E.L. EACH ACCIDENT \$ 1,000,000 |
| | | | | | | | E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 |
| B | Liquor Liability | | LQ1003973 | 05/01/2022 | 05/01/2023 | LIMIT \$ 1,000,000 | |

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
The Greater Newburyport Chamber of Commerce and Industry, The Firehouse Playhouse, The Waterfront Trust, Seaboard Distributing, Tito's Handmade Vodka, The Newburyport Redevelopment Authority and the City of Newburyport as additional insureds-Newburyport Riverfront Festival 7/23/22

| | |
|---|---|
| CERTIFICATE HOLDER City of Newburyport 60 Pleasant Street Newburyport, MA 01950 | CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. |
| | AUTHORIZED REPRESENTATIVE |



9NORT80

OP ID: DN

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
05/24/2022

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| | | |
|---|--|--|
| PRODUCER John J Walsh Ins Agency, Inc P O Box 4407 Salem, MA 01970-6407 John J. Walsh Ins. Agcy., Inc. | 978-745-3300 | CONTACT NAME: John J. Walsh Ins. Agcy., Inc. PHONE (A/C, No, Ext): 978-745-3300 FAX (A/C, No): 978-745-9557 E-MAIL ADDRESS: johnjw@walshinsurance.com |
| | INSURER(S) AFFORDING COVERAGE | |
| INSURED North Shore Bartending Services Inc. 11 D Russell Street Salem, MA 01970 | INSURER A: Mt Vernon Ins | |
| | INSURER B: United States Liab Ins Co | |
| | INSURER C: A.I.M. Mutual Ins. Companies | |
| | INSURER D: | |
| | INSURER E: | |
| | INSURER F: | |

COVERAGES **CERTIFICATE NUMBER:** **REVISION NUMBER:**

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| INSR LTR | TYPE OF INSURANCE | ADDL INSD | SUBR WVD | POLICY NUMBER | POLICY EFF (MM/DD/YYYY) | POLICY EXP (MM/DD/YYYY) | LIMITS |
|----------|--|-----------|----------|-----------------------|-------------------------|-------------------------|--|
| A | <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER: | | | GL2011640 | 05/01/2022 | 05/01/2023 | EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 |
| | AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY | | | | | | COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ |
| | <input type="checkbox"/> UMBRELLA LIAB <input type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> DED <input type="checkbox"/> RETENTIONS | | | | | | EACH OCCURRENCE \$ AGGREGATE \$ |
| C | WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) <input type="checkbox"/> Y/N <input type="checkbox"/> N/A If yes, describe under DESCRIPTION OF OPERATIONS below | | | VVC-100-6025417-2021A | 07/29/2021 | 07/29/2022 | <input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$ 1,000,000 E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMIT \$ 1,000,000 |
| B | Liquor Liability | | | LQ1003973 | 05/01/2022 | 05/01/2023 | LIMIT \$ 1,000,000 |

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

The Greater Newburyport Chamber of Commerce and Industry, The Firehouse Playhouse, The Waterfront Trust, Seaboard Distributing, Tito's Handmade Vodka, The Newburyport Redevelopment Authority and the City of Newburyport as additional insureds-Newburyport Riverfront Festival 7/23/22

CERTIFICATE HOLDER **CANCELLATION**

| | |
|--|--|
| City of Newburyport 60 Pleasant Street Newburyport, MA 01950 | SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. |
| | AUTHORIZED REPRESENTATIVE |

Congratulations!

You have successfully completed the ServSafe Alcohol® Responsible Alcohol Service Training and Certification Program. This is your official ServSafe Alcohol Certification Card and provides confirmation that you have studied, and are knowledgeable about, how to serve alcohol responsibly.

Thank you for participating in the ServSafe Alcohol program. Responsible alcohol service begins with the choices you make, and ServSafe Alcohol training will help you make the right decision when the moment arises.

By completing the ServSafe Alcohol program, you show your dedication to safe and responsible alcohol service. The ServSafe Alcohol program and the National Restaurant Association are dedicated to helping you continue to raise the bar on alcohol safety.

To learn more about our full suite of responsible alcohol service training products, contact your State Restaurant Association, your distributor or visit us at ServSafe.com.

We value your dedication to responsible alcohol service and applaud you for making the commitment to keep your operation, your customers and your community safe.

Sincerely,



Sherman Brown

Senior Vice President, National Restaurant Association Solutions

ServSafe
National Restaurant Association

ID # 12648645
CARD # 13578786

ServSafe Alcohol® CERTIFICATE

ELAYNE CRONIA M

NAME

4/27/2016

DATE OF EXAMINATION

Card expires three years from the date of examination. Local laws apply.



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Sherman Brown
Senior Vice President, National Restaurant Association Solutions

This certificate confirms completion of the ServSafe Alcohol® responsible alcohol service program.

In Alaska you must laminate your card for it to be valid.

NATIONAL RESTAURANT ASSOCIATION

175 West Jackson Boulevard
Suite 1500
Chicago, Ill. 60604-2814
1.800.SERVSAFE
312.715.1010. In the Chicago area
ServSafe.com

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Request for Taxpayer Identification Number and Certification

Give Form to the requester. Do not send to the IRS.

Go to www.irs.gov/FormW9 for instructions and the latest information.

1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank.
BEANPOT BROADCASTING

2 Business name/disregarded entity name, if different from above
WXRV FM 92. 5 THE RIVER

3 Check appropriate box for federal tax classification of the person whose name is entered on line 1. Check only one of the following seven boxes.

Individual/sole proprietor or single-member LLC

C Corporation

S Corporation

Partnership

Trust/estate

Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=Partnership) ▶ _____

Note: Check the appropriate box in the line above for the tax classification of the single-member owner. Do not check LLC if the LLC is classified as a single-member LLC that is disregarded from the owner unless the owner of the LLC is another LLC that is not disregarded from the owner for U.S. federal tax purposes. Otherwise, a single-member LLC that is disregarded from the owner should check the appropriate box for the tax classification of its owner.

Other (see instructions) ▶ _____

4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3):

Exempt payee code (if any) _____

Exemption from FATCA reporting code (if any) _____

(Applies to accounts maintained outside the U.S.)

5 Address (number, street, and apt. or suite no.) See instructions.
30 HOW ST

6 City, state, and ZIP code
HAVERHILL MA 01830

7 List account number(s) here (optional)

Requester's name and address (optional)

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the instructions for Part I, later. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN*, later.

Note: If the account is in more than one name, see the instructions for line 1. Also see *What Name and Number To Give the Requester* for guidelines on whose number to enter.

Social security number

| | | | | | | | | | |
|--|--|--|---|--|--|---|--|--|--|
| | | | - | | | - | | | |
|--|--|--|---|--|--|---|--|--|--|

or

Employer identification number

| | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|
| 5 | 5 | - | 0 | 8 | 4 | 1 | 5 | 0 | 1 |
|---|---|---|---|---|---|---|---|---|---|

Part II Certification

Under penalties of perjury, I certify that:

- The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
- I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
- I am a U.S. citizen or other U.S. person (defined below); and
- The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions for Part II, later.

Sign Here

Signature of U.S. person ▶ *JONNA RILEY*

Date ▶ 5-14-2020

General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

Future developments. For the latest information about developments related to Form W-9 and its instructions, such as legislation enacted after they were published, go to www.irs.gov/FormW9.

Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following.

- Form 1099-INT (interest earned or paid)

- Form 1099-DIV (dividends, including those from stocks or mutual funds)
- Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
- Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
- Form 1099-S (proceeds from real estate transactions)
- Form 1099-K (merchant card and third party network transactions)
- Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
- Form 1099-C (canceled debt)
- Form 1099-A (acquisition or abandonment of secured property)

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See What is backup withholding, later.

Anthony Furnari

From: Anthony Furnari
Sent: Tuesday, March 1, 2022 6:47 AM
To: Sean Reardon
Cc: Andrew Levine; Jamie Tuccolo
Subject: Costs for DPS workers for Riverfest

Good Morning!

As requested are the costs for DPS employees doing cleanup for the Riverfest Event.

On the permit it requires the vendor to pay \$45.00 per employee for special events. This event will require 6 employees.

$\$45.00 \text{ per employee} \times 8 \text{ hours} = \$360.00 \text{ each} \times 6 \text{ employees} = \2160.00 Total

Let me know if you need anything else..

Tony

Anthony J. Furnari, Director
City of Newburyport
Department of Public Services
16a Perry Way
Newburyport, MA. 01950
office: 978-465-4463 ext.1702
fax: 978-465-1623
email: afurnari@cityofnewburyport.com

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60 Pleasant St.
PO Box 550
Newburyport, MA 01950
Office: 978-465-4411
Cell: 978-572-6590

Sign up for e-alerts and general City information on CityofNewburyport.com



From: dstsauveur@wxrv.com <dstsauveur@wxrv.com>
Sent: Monday, March 7, 2022 5:00 PM
To: Andrew Levine <ALevine@CityofNewburyport.com>
Cc: eduggan@newburyportchamber.org; Sean Reardon <SReardon@CityofNewburyport.com>; nallard@newburyportchamber.org
Subject: RE: Anticipated Costs - Riverfest 2022

Thanks, Andrew.

My Comptroller had a couple of other questions for me. If you've got a moment tomorrow to respond, that would be great!

A question over the Police Detail and Overtime for \$8,624:

- Can you let me know how many police officers will be on the detail?
- What will their hours be (i.e., 10am-7pm)?
- And is there a reason for overtime?

And similar questions for Fire Prevention and Staffing.

- Can you let me know how many EMT's and fire staff will be working the event.
- What will their hours be too?

Thanks – Donald St. Sauveur

| Item | Department | Amount |
|-------------------------------|-------------------------------|---------------------|
| Special Event Permit Staffing | Department of Public Services | \$ 2,160.00 |
| Police Details and Overtime | Police Department | \$ 8,624.00 |
| Fire Prevention and Staffing | Fire Department | \$ 3,000.00 |
| Downtown Impact Fee (Reserve) | Mayor's Office | \$ 2,000.00 |
| Total | | \$ 15,784.00 |

Donald St. Sauveur
General Manager
WXR/92.5 the River
30 How Street | Haverhill, MA 01830
(617) 816-0040
dstsauveur@wxrv.com



Existing Conditions



AREAS OF INTEGRATION

Waterfront Trust

Waterfront Trust

AREAS OF INTEGRATION

NRA Parcel - West

NRA Parcel - East

Waterfront Trust

AREAS OF INTEGRATION

Waterfront Trust



Pocket Park Tents and Merrimac Street Tents and Food Truck Area

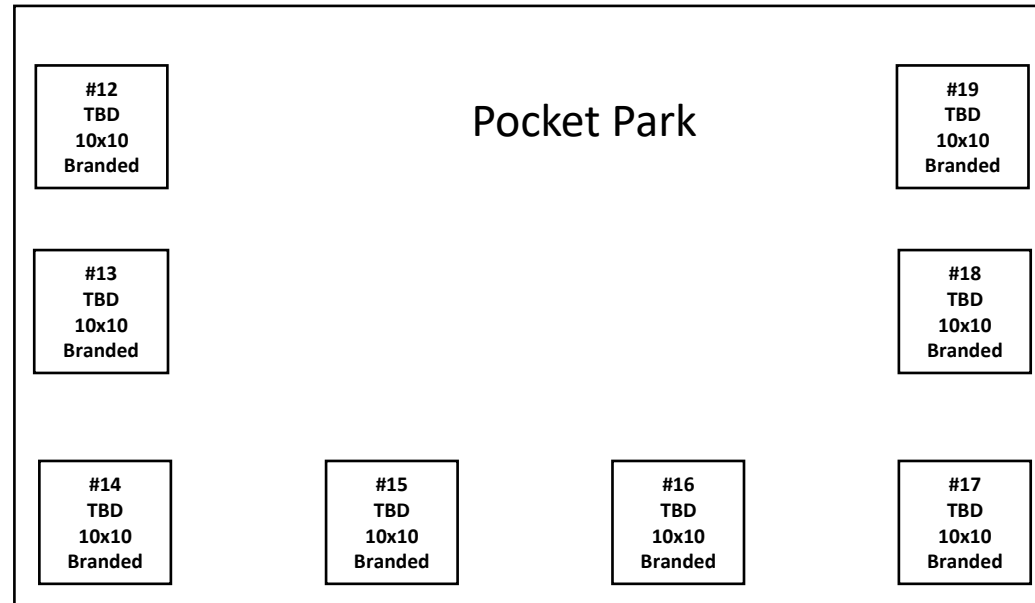
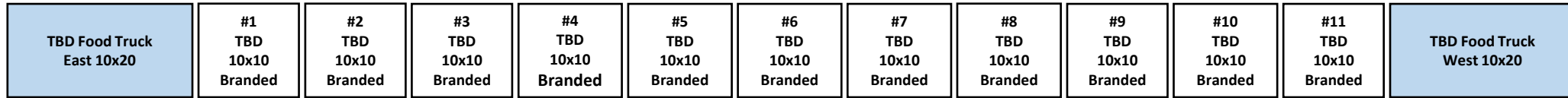


Pocket Park and Merrimac Street Tent and Food Truck Area

← To Downtown
Newburyport

Merrimac Street

Leaving
Newburyport →





To Downtown
Newburyport

Merrimac Street

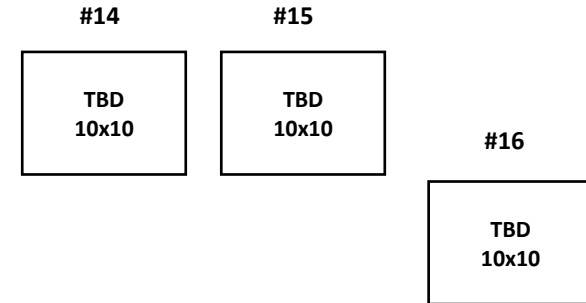
Leaving
Newburyport



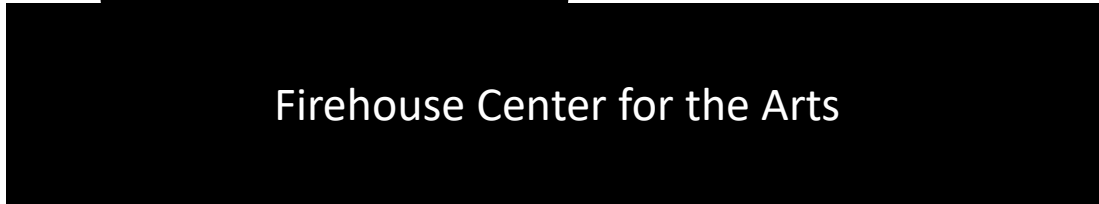
Sidewalk



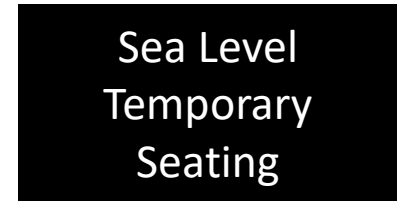
Sidewalk



Sea Level
Oyster Bar
Patio



Firehouse Center for the Arts



Sea Level
Temporary
Seating



Front of Firehouse and Merrimac Street Area

Sea Level Oyster Bar Outdoor Patio Dining

Holy Family
Sound Tent
Branded
10x10

8'x24' Bicycle Rack Barricade Handicap Area

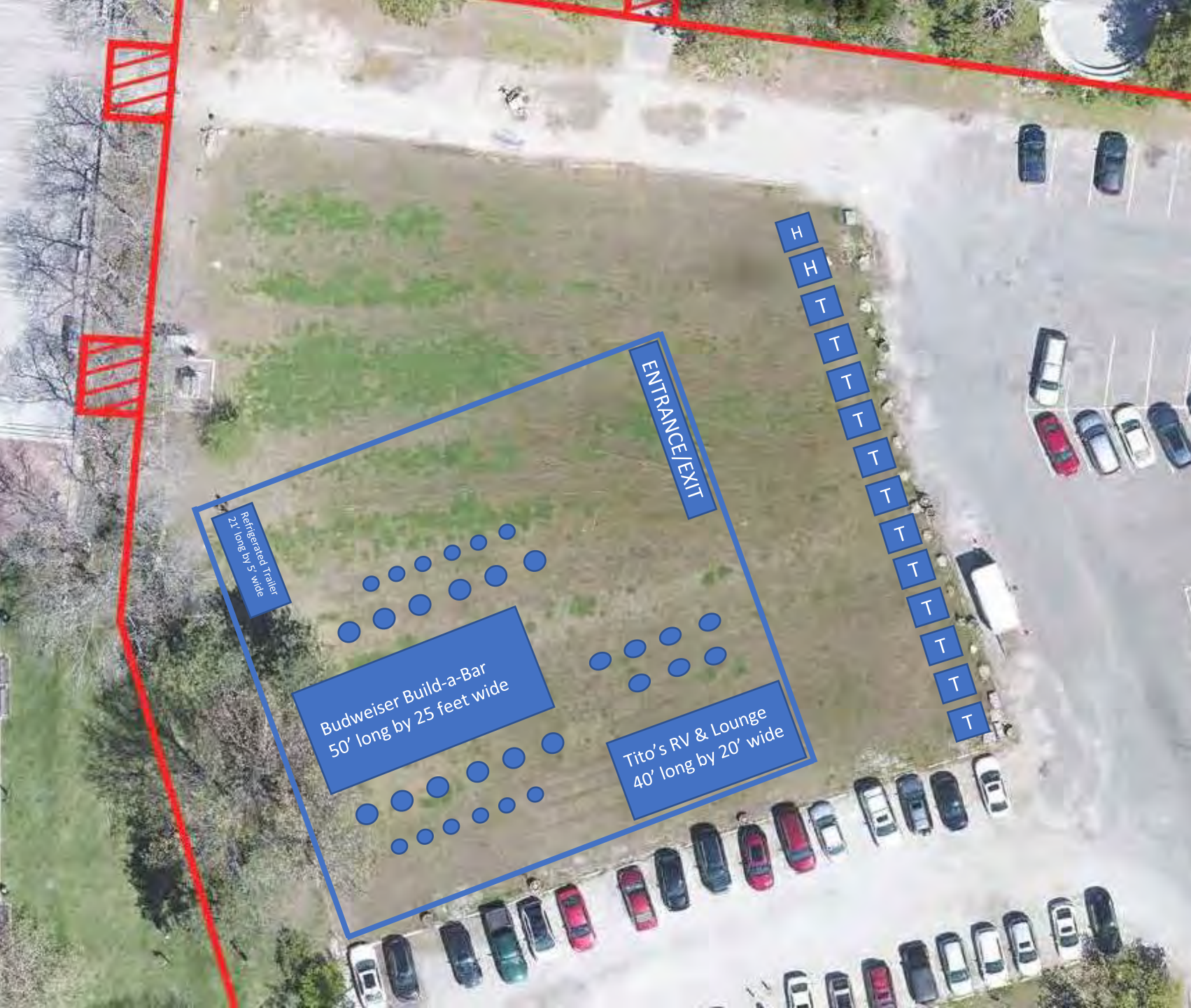
River
Tech. Tent
Branded
10x10

Stage

River
Tech. Tent
Branded
10x10



Stage, Sound Tent, and Wheel Chair Area along with the Merchandise Tent



The blue outlined area for the Beer Garden is 112' wide and 96' feet long. The entire perimeter will be secured by 8'x 3' interlocking bicycle rack barricades.

As in years past, there will be one entrance/exit area that is 16' wide. Two (2) TIPS-certified staff members from North Shore Bartending will check IDs. There will be 2 Newburyport police officers always stationed at the entrance/exit from 11am to 6pm. Last call is 5:30pm. The concert ends at 6pm.

The Anheuser-Busch Build-a-Bar Beer Garden is 50' wide and 25' long. There will be 15 round tables (5 chairs per table) along with 25 high-top tables (3 feet with no chairs).

The Tito's RV & Lounge features a 40'x 20' RV and Lounge Area with 10 round tables and chairs and 25 high-top tables.

Northshore Bartending will have 4 bartenders and 1 bar back for the Build-a-Bar area and 2 bartenders and 1 bar back for the Tito's area.

Seaboard Distributing will be delivering a 21' long by 5' wide refrigerated trailer for the beer product.

12 portable toilets and 2 handicap toilets will outline the perimeter of the lot. Set up will occur on Friday afternoon.



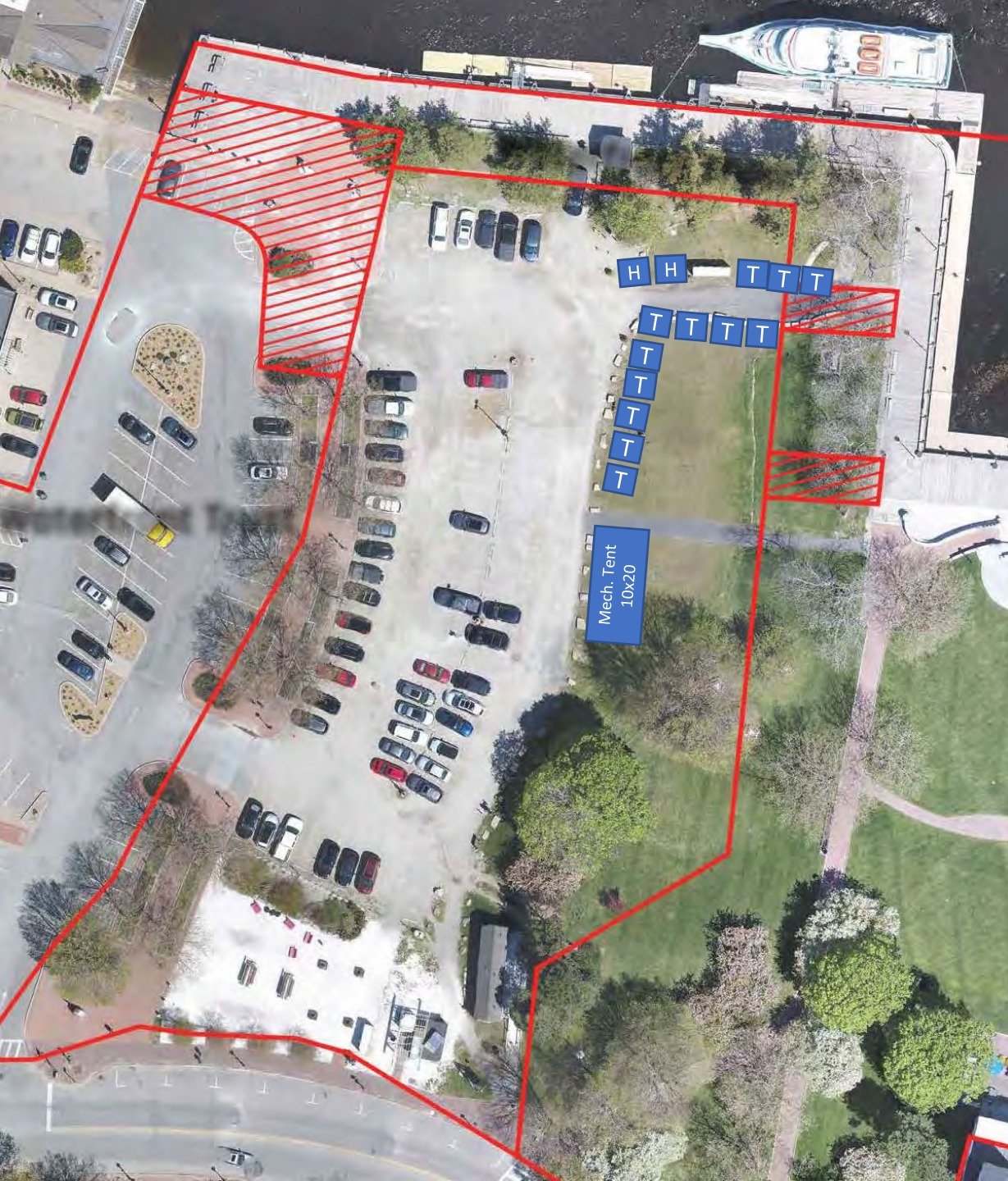
Anheuser-Busch Build-a-Bar Beer Garden



Tito's RV & Lounge with Chairs and Tables



Anheuser-Busch Build-a-Bar Beer Garden with Tables and Chairs



12 portable toilets and 2 handicap toilets will outline the perimeter of the NRA West parking lot. Set up will occur on Friday afternoon between 1pm-5pm

A 10'x20' merchandise tent will be set up on Friday afternoon between 1pm-5pm. The tent will be near a walkway connecting NRA West parking lot and Waterfront Park.



NRA East Parking Lot Portable Toilets and Merchandise Tent

20TH ANNUAL NEWBURYPORT RIVERFRONT MUSIC FESTIVAL AGREEMENT

WXRV/92.5 THE RIVER TO PROVIDE:

- **SPONSORSHIP FEE:** \$10,000 exhibitor fee. This provides WXRV/92.5 the River with the official designation as the co-presenting sponsor along with the Chamber and Bud Light.
- **SPONSORSHIP SALES:** All sponsorship sales and marketing will be handled by WXRV's sales team. All associated revenue from sponsorship sales will be retained by WXRV/92.5 the River.
- **EXPENSES:** All expenses associated with the production and promotion of Riverfest will be the responsibility of WXRV/92.5 the River including but not limited to: Marketing and promotional support, talent fees, stage and sound, exhibitor tents, port-o-potties, fences, and bicycle racks, permits, T.I.P. certified servers, stage labor, and City of Newburyport fees for Police, Fire/EMT, DPW/clean-up and trash removal, dumpster rental, etc. Fees that need to be paid by the Chamber (i.e., Waterfront Park rental and one-day special alcohol permit for Bud Light Beer Tent and Tito's Lounge) will be reimbursed by WXRV. The Chamber and City of Newburyport are not responsible for any payment associated with the Riverfront Music Festival.
- **COPY OF INSURANCE RIDER AND INDEMNIFICATION:** WXRV will carry insurance and indemnify the Chamber, Waterfront Trust, the City of Newburyport (see 2018 example attached).
- **ON-AIR CONSIDERATION:** 92.5 the River will promote the festival for 5-weeks on-air and will mention that the Riverfront Music Festival is presented in part by the Greater Newburyport Chamber 35x per week/175 total over 5-weeks.
- **LOGO AND BANNER ADS:** The Chamber's logo will be prominently displayed as a sponsor of the festival along with a 300x250 banner which will also rotate throughout TheRiverBoston.com
- **LINKS TO THE CHAMBER:** When appropriate, links from the River's website promoting the 20th Annual Riverfront Music Festival will connect to the Chamber's event section on the Chamber's website
- **VIP PARTY:** The Chamber will be provided with twenty (20) passes valued at \$150 each to the River's VIP Party within the Firehouse and on the Whale Watch Boat.
- **ADDITIONAL MARKETING CAMPAIGN:** WXRV/92.5 the River will provide the Chamber with a separate \$10,000 on-air and online marketing campaign to help promote another Chamber event in 2022.
- **CAMPAIGN INCLUDES:**
 - 100 30-second radio commercials to air on WXRV/92.5 the River between Monday through Sunday 6 am-10 pm. NOTE: Commercials must air by 12/25/22
 - Matching online commercials via TheRiverBoston.com free streaming app and the free TuneIn streaming app and on Amazon Alex enabled devices and Google Home devices
 - Copywriting and voiceover and commercial production for up to four (4) different 30-second commercials.
 - No charge proof-of-performance invoices illustrating the 100 30-second commercials airdates/times
 - Social Media assets: The River's team will provide the following:
 - 4 Facebook posts
 - 4 Instagram posts
 - 4 Twitter posts
 - 1 eBlast to 5,400 registered 9-2-5 eNewsletter subscribers

NEWBURYPORT CHAMBER TO PROVIDE:

- **COORDINATION AND COMMUNICATION:** The Chamber will coordinate and communicate with WXRV/92.5 the River and the Mayor's Office and its various Department Heads about all details pertaining to the production of the festival.
- **ONE-DAY SPECIAL PERMIT:** The Chamber will coordinate with the City of Newburyport to receive a special one-day permit for the festival (see 2018 attached example)
- **LIQUOR LICENSE:** The Chamber will pay the \$100 fee (see attached example) one-day alcohol license fee for the Bud Light Beer Garden and the Tito's RV & Lounge. NOTE: WXRV will reimburse the Chamber for this \$100 fee
- **WATERFRONT PARK FEE:** The Chamber will pay for the park rental fee. WXRV will reimburse the Chamber for this park rental fee.
- **FRIDAY SET-UP AND PARKING RESTRICTIONS:** In coordination with the Newburyport Police and WXRV/92.5 the River, the Chamber will help coordinate the Friday tent set-up along Merrimac Street (tent row) near the pocket park and Chamber information booth. Traffic Cones, saw horses and "no-parking" tape will be set up at 3 pm to restrict parking in this area.
- **NO SPONSORSHIP SALES:** The Chamber will not sell sponsorship opportunities to Chamber members or outside parties for this festival. All sponsorship sales (on-air, online, and onsite) will be handled by the WXRV sales and marketing team. All revenue derived from such sponsorship sales will be retained by WXRV.

Agreed by:

Donald St. Sauveur
General Manager
WXRV/92.5 the River

Signature: _____

Date: _____

Agreed by:

Nate Allard
President
Newburyport Chamber of Commerce & Industry

Signature: _____

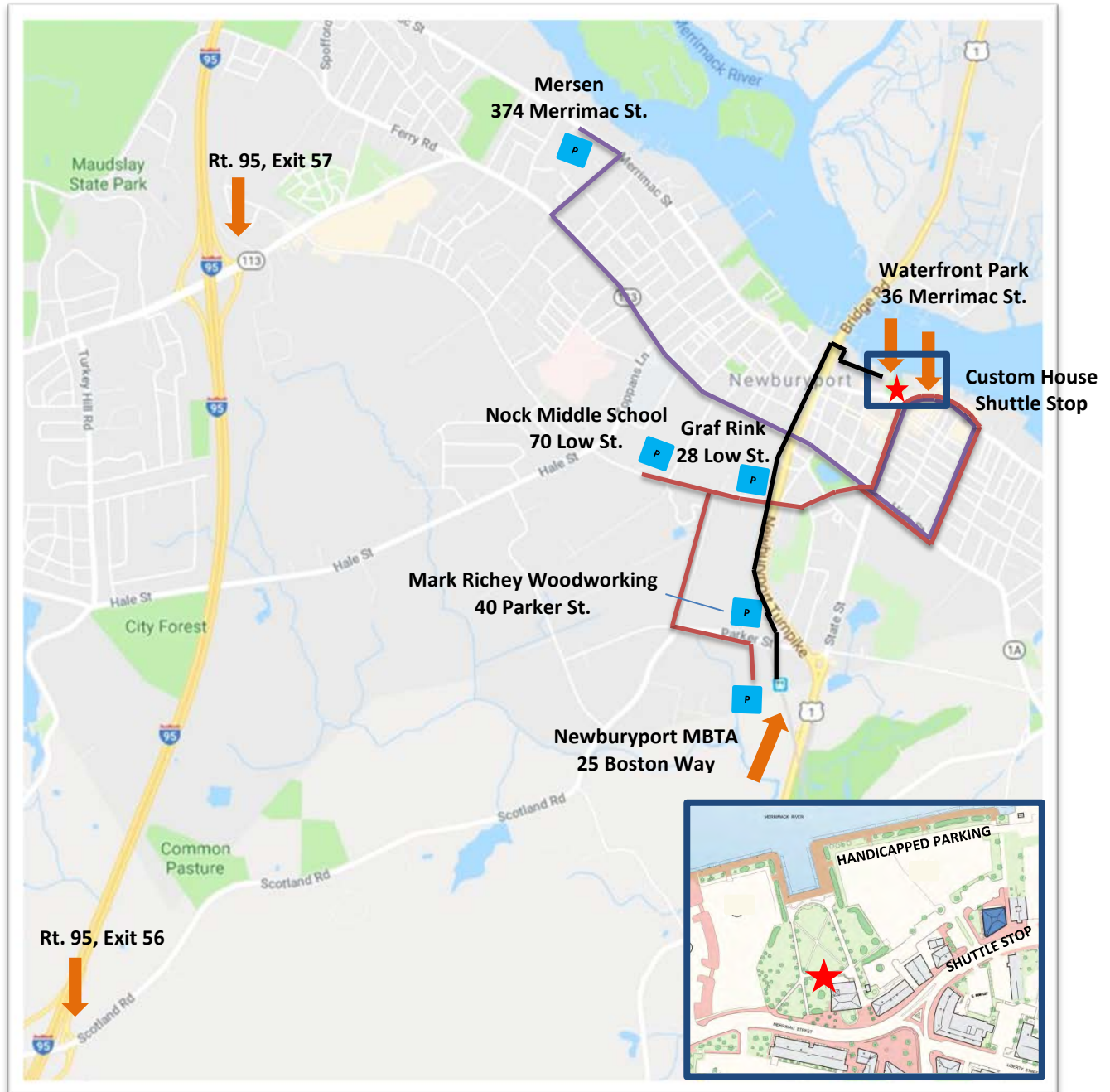
Date: _____

SATELLITE PARKING INFORMATION - NEWBURYPORT RIVERFRONT MUSIC FESTIVAL- SAT, JUL. 23, 2022

(The following information & map has been provided by the Greater Newburyport Chamber of Commerce)

ATTENTION: DOWNTOWN NEWBURYPORT MUNICIPAL PARKING IN GREEN, MERRIMAC, WATER, AND HARRIS ST LOTS COSTS \$25 AND THE 2-HOUR LIMIT WILL BE STRICTLY ENFORCED.

SATELLITE PARKING IS STRONGLY ENCOURAGED – SEE BELOW



Offsite, satellite parking with a free Coppola Bus shuttle courtesy of 92.5 The River:

- Mersén, 374 Merrimac St. **FREE**
- Graf Skating Rink, 28 Low St. **FREE**
- Rupert A. Nock Middle School, 70 Low St. **FREE**
- Mark Richey Woodworking, 40 Parker St. **FREE**
- Newburyport MBTA, 25 Boston Way **\$2**

P Satellite Parking with free shuttle courtesy of WXRV 92.5 The River

➔ Points of Interest

— Shuttle Route A: Mersén Parking Lot

— Shuttle Route B: Industrial Park Lots

— Clipper City Rail Trail: Walking/Biking Path

★ Concert Location: Waterfront Park

Shuttle routes run two routes approx every 20 minutes from 11:00AM – 7:00PM:

- Route A: The Mersén Lot on Merrimac St.
- Route B: Graf Rink, Middle School, Mark Richey, and MBTA Lots
- The downtown shuttle stop is located at The Custom House, 25 Water St.

Walking along the Clipper City Rail Trail is encouraged from:

- Mark Richey Woodworking, 40 Parker St. (Approx 20 min walk)
- Graf Skating Rink, 28 Low St. (Approx 10 min walk)

Clipper City Rail Trail
Newburyport



From: dstsauveur@wxrv.com <dstsauveur@wxrv.com>
Sent: Monday, March 7, 2022 5:00 PM
To: Andrew Levine <ALevine@CityofNewburyport.com>
Cc: eduggan@newburyportchamber.org; Sean Reardon <SReardon@CityofNewburyport.com>; nallard@newburyportchamber.org
Subject: RE: Anticipated Costs - Riverfest 2022

Thanks, Andrew.

My Comptroller had a couple of other questions for me. If you've got a moment tomorrow to respond, that would be great!

A question over the Police Detail and Overtime for \$8,624:

- Can you let me know how many police officers will be on the detail?
- What will their hours be (i.e., 10am-7pm)?
- And is there a reason for overtime?

And similar questions for Fire Prevention and Staffing.

- Can you let me know how many EMT's and fire staff will be working the event.
- What will their hours be too?

Thanks – Donald St. Sauveur

| Item | Department | Amount |
|-------------------------------|-------------------------------|---------------------|
| Special Event Permit Staffing | Department of Public Services | \$ 2,160.00 |
| Police Details and Overtime | Police Department | \$ 8,624.00 |
| Fire Prevention and Staffing | Fire Department | \$ 3,000.00 |
| Downtown Impact Fee (Reserve) | Mayor's Office | \$ 2,000.00 |
| Total | | \$ 15,784.00 |

Donald St. Sauveur
General Manager
WXRV/92.5 the River
30 How Street | Haverhill, MA 01830
(617) 816-0040
dstsauveur@wxrv.com



From: wshenk@bright.net <wshenk@bright.net>

Sent: Friday, May 20, 2022 10:54 AM

To: Richard Jones <RJones@CityofNewburyport.com>

Cc: mpieniazek@darlingconsulting.com; mello.neu@gmail.com; 'Sullivan Michael' <Michael.Sullivan@daldrop.com>; 'Leslie Eckholdt' <leckholdt@comcast.net>; 'Edith Heyck' <eheyck@gmail.com>

Subject: July 4 Weekend

Richard, As a heads up, We have been approached by Dennis Palazzo who is interested in bringing in some local entertainment on July 4 and the Army Band on July 5. The Waterfront Trust are in support of his request of using the stage area of the Park for both these concerts but have requested that he have no commercial activity (booths selling stuff, food trucks, or food/drink service) on our property. We want a nice July 4-5 family concert activity free of commercial activity. He did ask about adjoining City property and I said that's between you and the City. I know that the City has allowed in the past food trucks on the lawn next to the East parking lot and up by the Pop Up Park. I am not sure about booths on City Property. Anyway he may approach you for help. Wilbur

Bob Keller

978-465-5111

bob@SeacoastMedicalMassage.com

<http://www.SeacoastMedicalMassage.com>

Moving Muscles to relieve Your Pain



Speed Limit Silliness

Haven't seen people obeying the 25 mph speed limit? That's probably because having a one-size-fits-all speed limit is simplistic to the point of being ludicrous.

25 mph is certainly appropriate for some streets in Newburyport. Most of Washington Street is a good example as are many other residential streets like Olive or Prospect. The streets are narrow, have residences close to the street, and visibility is sometimes limited.

For Merrimac, Water, and State streets downtown as well cross streets like Pleasant or Prince Pl, 25 mph is much too fast: in fact, it's seriously dangerous. People cross, often invisibly, anywhere they choose. The lanes are cluttered with delivery trucks as well as those obstructive and offensive outside dining platforms. And, the condition of the streets is an embarrassment. Why do you want to endanger the walking public by having a 25 mph speed limit?

High Street has been at 30 mph for decades, a reasonable speed. It has been at this speed as safely as it is likely to be at 25 mph. Please return the 30 mph posts.

25 mph on Graf Road, however, is absurd. It's a broad street with no residences. Buildings are set way back from the road so that entering vehicles are visible well ahead, and in the last 20 years, I haven't seen more than a handful of people walking on this road. Most drivers go 40 mph which is suitable for Graf Road; it could even be 45 mph. What does it benefit the City to make every driver a criminal?

Low Street is now posted at 35 mph which is good, and obeyed by most drivers...thank you! If you want drivers to obey speed limits, then make speed limits appropriate to the street.

From: Stephen Comley
Sent: Wednesday, March 2, 2022 4:16 PM
To: Richard Jones <rjones@cityofnewburyport.com>
Cc: Mayor Gove <govek@amesburyma.gov>; agreco@townofnewbury.org
<agreco@townofnewbury.org>
Subject: Letter to NRC Inspector General, Robert J Feitel.

City of Newburyport
City Clerk
Richard B. Jones
P. B. BOX 550
60 Pleasant Street
Newburyport MA 01950
Mr. Jones,

March 2, 2022

Is there a reason why the Newburyport City Council has not written a letter to the **NEW** NRC Inspector General, Robert J. Feitel since I asked for before August 27, 2021? **Please reply.**

Could the reason be because the last letter the Council wrote but never got replied to by the former NRC Chairwoman, Kristine L. Svinicki? Svinicki typically did not reply or act on safety concerns from any of the other letters sent to her from 9 other Towns and Cities in MA and NH. I assure the council Mr. Feitel and his Staff will act on the Council 's letter if and when it is sent This is because unlike Svinicki and other irresponsible NRC High Officials WTP have dealt with, Mr. Feitel and his staff will not only investigate cover-ups by Seabrook Station and other U.S. plants, but OIG will probe corruption committed by the NRC agency itself.

As you know I dropped of many articles and important documents for the members of the Council to review in order justify a letter from the Council to Mr. Feitel. As you know recently this included the two-page letter (**attached**) to We The People of February 10, 2022, from Mr. Feitel stating, "My staff investigated (OIG Case No. C20-022) your allegations that CFSI are present in most, if not all, U.S. nuclear power plants, that the NRC has lowered the oversight standards for CFSI, failed to address CFSI allegations".

This investigation and 6 others can be reviewed on WTP's web site: stephencomleysr.net It is WTP's informants and my hope all of the council members will take the time to review our web site.

Please take note of the second page of Mr. Feitel's letter to WTP which states his office was not given **purview authority by Congress to investigate wrongdoing by the following, "You also alleged misconduct by current and former U.S. presidents, U.S. senators, state governors, state attorneys general, the media, and former NRC inspectors General, for not investigating your**

concerns. These allegations are outside the OIG's purview, but we did refer your allegations regarding federal and state officials to the Federal Bureau of Investigation. We did not require or request a response from the FBI as to whether it chooses to investigate those issues".

(WTP'S INFORMANTS AND I BELIEVE THIS WAS INTENTIONAL SO, OIG WOULD NOT BE ABLE TO COMPLETE FULL OR PROPER INVESTIGATIONS AS CONGRESS ONLY GAVE OIG SUBPENIA POWER FOR RECORDS NOT THE RIGHT FOR OIG TO SUMMON INDIVIDUALS TO TESTIFY LIKE PRESIDENTS)

We The People and I have had experiences with both the FBI and the DOJ which did not lead to any investigations from letters (attached) in behalf of of WTP sent to both officers.

Mr. Feitel has been In-touch with Joseph R. Bonavolonta who was named by FBI Director Christopher Way to become Special Agent in Charge of the Boston/Chelsea Field Office. Address: 201 Maple Street, Chelsea MA 0215, Phone: 857-386-2000. Mr. Bonavolota reported to the Boston Field Office on January 22, 2019. I hope to be contacted by Agent Bonavolota soon.

Please let We The People know if the Newburyport Council members will approve sending a letter to Mr. Feitel of the Council's safety concerns regarding of Seabrook Station. I also wish the council will consider thanking Mr. Feitel and his staff for showing the extreme courage they have exhibited in not being brought or intimidated of fully investigating which WTP's brave informants and I believe is the most powerful industry and Government agency in America.

I am enclosing two letters (attached) already written to Mr. Feitel from the Mayor of Amesbury, Kassandra Gove and from the Newbury Select Board Chair, Alicia Greco. Other attachment are issues in the Council's letter 's could include the special needs issue the former Executive Director of the NRC, Victor Stello suggested I leave paralyzed residents behind at our health care facility in the event of a nuclear disaster at Seabrook Station. This is still unbelievable in effect at all U.S. Nuclear Plants

If the council members and you need further clarification or comment from me concerning any of the issues above, please contact us.

Respectfully submitted,

Stephen B. Comley Sr.,
Founder of We The People a National Whistleblower Protection Non-Profit Organization
oec



Amesbury

Mayor Cassandra Gove

Office of the Mayor
City Hall, 62 Friend Street
Amesbury, MA 01913-2884

(978) 388-8121
Fax: (978) 388-6727
govek@amesburyma.gov

August 27, 2021

Robert J. Feitel, Inspector General, U.S. Nuclear Regulatory Commission
c/o Malion Bartley, Assistant Inspector General for Investigations
Mail Stop 06E13
11555 Rockville Pike
Rockville, MD 20852

Dear Inspector General Feitel:

As Mayor of the City of Amesbury, Massachusetts, I am requesting that the Nuclear Regulatory Commission (NRC) investigate and address any of the valid concerns raised by Stephen B. Comley, Sr. and his organization, We The People, regarding the safety of the Seabrook Station in Seabrook, New Hampshire.

As you may know, Amesbury is one of the communities within a ten (10) mile radius of Seabrook Station, and the City has previously asked (in 2017) for a public hearing by the NRC on the public safety and evacuation plan for Seabrook Station.

I am aware, after a long discussion with Mr. Comley, of his decades of interest in, and his passion for, this issue. I won't recount all of his efforts here, but I am aware that he has been advocating for his concerns to be addressed properly since the Reagan Administration.

As a lifelong resident of Amesbury myself, I have my own concerns about the health and safety issues raised by this facility being in such close proximity. The NRC should seek to ensure both the safety of the station, including the parts being used within the facility itself, as well as the evacuation plans in the case of a catastrophic event.

Thank you for your attention to the concerns raised by Mr. Comley and We The People.

Sincerely,

Cassandra Gove
Mayor
City of Amesbury

cc: Stephen B. Comley, Sr., Founder, We The People



Town of Newbury
Select Board
12 Kent Way, Suite 101
Byfield, MA 01922
Phone: 978-465-0862 X301
Fax: 978-572-1228

November 9, 2021

Robert J. Feltel, Inspector General, U.S. Nuclear Regulatory Commission
c/o Mallon Bartley, Assistant Inspector General for Investigations
Mall Stop 06E13
11555 Rockville Pike
Rockville, MD 20852

Dear Inspector General Feltel:

We are writing in response to public safety concerns raised by Mr. Stephen B. Comley, Sr., a resident from Rowley, MA, and founder of "We the People", a national whistleblower/nonprofit organization. Among other concerns, Mr. Comley alleges that the evacuation plan in question is ineffective within the required 10-mile radius during the summer months.

In the interest of public safety, we respectfully request that you hold a public hearing at a location within the 10-mile radius. Given the importance of an effective evacuation plan, we believe a public hearing on the issue will provide your commission the opportunity to not only address the issues Mr. Comley has raised, but also to explain in more detail how the approved plan is designed to work, thus preventing any misinformation from creating concern or alarm with residents within the 10-mile radius.

Thank you for your consideration of our request. Please feel free to contact us should you have any questions.

On behalf of the Select Board,

Alicia Greco, Chair



MEMORANDUM

DATE: February 10, 2022

TO: Stephen B. Comley, Sr.
We The People, a National Whistleblower
Protection Non-Profit Organization
P.O. Box 646
Rowley, MA 01969

FROM: Robert J. Feitel
Inspector General

SUBJECT: SPECIAL INQUIRY INTO COUNTERFEIT, FRAUDULENT, AND
SUSPECT ITEMS IN OPERATING NUCLEAR POWER PLANTS
(OIG Case No. C20-022)

Robert J. Feitel Digitally signed by Robert J. Feitel
Date: 2022.02.10 08:34:07 -0500

Dear Mr. Comley:

Thank you for taking considerable time to bring your concerns to the Office of the Inspector General (OIG). I am pleased to inform you that my staff has completed its investigations into those of your concerns that fall under the OIG's purview.

My staff investigated (OIG Case No. C20-022) your allegations that CFSI are present in most, if not all, U.S. nuclear power plants, that the NRC has lowered the oversight standards for CFSI, and that the NRC failed to address CFSI allegations. Additionally, the OIG performed an audit (OIG-22-A-06) on the NRC's oversight of counterfeit reactor components. Both the investigation and audit reports have identified findings, will be made public, and are expected to be issued shortly.

The OIG also investigated your allegation that Seabrook Station's evacuation plan is inadequate (OIG Case No. C21-019). That investigation is complete; however, the NRC's response is pending. After we receive the agency's response, you can request a copy of the report via the Freedom of Information Act (FOIA) process.

During these investigations, OIG investigators interviewed several individuals you identified. We considered their testimony in our investigations and referred any safety concerns they had to the NRC.



MEMORANDUM

You also alleged misconduct by current and former U.S. presidents, U.S. senators, state governors, state attorneys general, the media, and former NRC inspectors general, for not investigating your concerns. These allegations are outside the OIG's purview, but we did refer your allegations regarding federal and state officials to the Federal Bureau of Investigation. We did not require or request a response from the FBI as to whether it chooses to investigate those issues.

Finally, you reported to us that you received threats of violence or other harm to your family as a direct result of your work for We The People. Recognizing the seriousness of your reports, the OIG immediately referred your concerns to the Rowley Police Department, Rowley, Massachusetts. Likewise, we did not require or request a response from the Rowley Police Department regarding any subsequent action taken by them.

Thank you for submitting your concerns to the OIG. I am confident that each of them has been carefully, thoroughly, and thoughtfully addressed. Further, I have determined that the investigative steps and actions taken by our OIG are in the best interests of the public, the NRC, and internal and external stakeholders. If you have a new allegation that you have not previously submitted, please use our online [OIG Hotline](#) process.

SHELTERED- PROVIDE DOCUMENT
WTP' – DVD – SEE FILM – GO TO WEB
SITE" STEPHENCOMLEYSR.NET

DIRECT STATEMENT: SAW FILM NO WAY TO
EVACUATE SEACOAST SAFELY OR TIMELY
THIS APPLIES WHETHER YOUR OUTSIDE OR
INSIDE 10-MILE RADIUS.

COUNTERFEIT SUBSTANDARD PARTS.

NEED FIRST RESPONDERS' HEARINGS
GAG ORDERS ON MA STATE POLICE & NH
NATIONAL GUARD BACK UP STATE POLICE.

THE WHITE HOUSE
WASHINGTON

October 22, 1996

Mr. Stephen B. Comley
Executive Director
We the People, Inc. of the United States
Post Office Box 277
Rowley, Massachusetts 01969

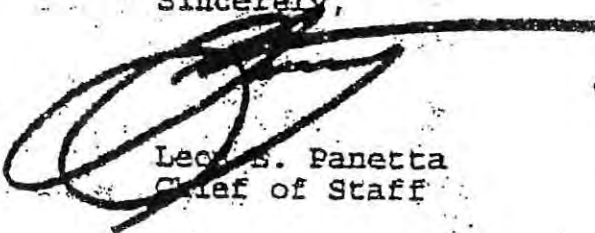
Dear Mr. Comley:

Thank you for your fax of October 10, 1996. I am sorry to hear that you have not yet received a letter from the Department of Justice regarding your concerns with the Nuclear Regulatory Commission (NRC).

Once again, I have forwarded your fax to the Department of Justice (DOJ) and asked that they respond to you directly. DOJ is the appropriate agency to assist you in dealing with your complaints with the NRC.

Again, thank you for writing.

Sincerely,



Leon S. Panetta
Chief of Staff

No Reply

cc: The Department of Justice

LEP/tab



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555

May 31, 1991

OFFICE OF THE
INSPECTOR GENERAL

Mr. Stephen B. Comley
Mansion Drive
Rowley, MA 01960

Dear Mr. Comley:

This correspondence is provided in response to your request of Special Agent Kent E. Walker concerning the status of an allegation you forwarded to the Inspector General concerning former President Ronald Reagan. You alleged that in October 1987 you provided President Reagan with information regarding the use of counterfeit and substandard parts throughout the nuclear industry and that the former President subsequently refused to acknowledge receipt of that information. Your concerns were provided to the Federal Bureau of Investigation, Silver Spring, MD, on December 13, 1990.

Sincerely,

A handwritten signature in cursive script that reads "Leo J. Norton".

Leo J. Norton, Assistant Inspector
General for Investigations

Dear Ms. Shand,

I am making outreach to you as I have learned that you oversee Ward 3 in Newburyport. This ward covers the Low Street/Graf Road intersection where Bright Horizons daycare is located. As a parent of a child who is enrolled at Bright Horizons and attends daily, this particular intersection is one I am quite familiar with.

As you have likely already gleaned, I am a parent who is invested in my child's growth and development but what is of equal importance is her safety, and that of her classmates at Bright Horizons. The BH community is a strong one and we often have family partnership conversations with the BH directors and staff. In our most recent communication, attended by several other parents whose children are enrolled at Bright Horizons, we were discussing the safety concerns of the area, especially as it pertains to this intersection.

The reason this concern was brought up is that as the weather turns warmer and we progress into the Spring our children will prefer to be outside in the warmth and sunshine. At BH, they have plenty of access to be outside in their playgrounds, which are safe, secure and fenced in properly. What they do not yet have, and what we believe they should have, is safe access to one of the many wonderful Newburyport city parks, in particular Bradley Fuller Park just across the street from BH. This is a park which offers young children space to run more freely, take use of the established track, and much more.

Now, we can both agree that the recent Bradley Fuller Park Project was successful in its renovation, as the project has greatly increased the park's appeal to people of all ages to come and enjoy the grounds. Unfortunately, the project did not address all aspects of accessibility to this park. However! Just a year later, the city of Newburyport put out a new improvement plan that could justifiably correct the inaccessibility to one of its finest parks, a plan now known as the "Street and Sidewalk Improvement Plan". In terms of timing, this plan could not have been better suited to address this issue than right now, just prior to spring's arrival and also on the heels of a very proactive and lively discussion with BH parents and staff.

With that being said, I would like to add a few additional comments in regards to this plan before I wrap up...

1. Unequivocally, there is agreement that there should be a sidewalk surrounding the intersection of Low Street and Graf Road (in addition to a crosswalk designation painted on both Low Street and Graf Road) thereby allowing pedestrians, specifically young children under the age of 5, safe travel and access to Bradley Fuller Park.
2. Those sidewalks should, at least, travel down Low Street to the entrance of this park, as well as down Graf Road beyond the driveway entrance to Bright Horizons and Dianne's Fine Desserts, though each sidewalk should likely be extended further.
3. The "Street and Sidewalk Improvement Plan", as cited from a city news article from February 17th, is a \$2 million infrastructure plan partly supported by state funding, and in year 1 (of 5) will focus in Ward 1, 3, and 5 (Ward 3!), so this request fits right in line with the plan's schedule.
4. Mayor Reardon is quoted as saying, "This is the largest single investment in our city's roads and sidewalks...Our goal is to create a welcoming and more livable Newburyport... by **improving accessibility** so that all residents and visitors may enjoy the city." This comment by the mayor is

essentially our mission statement. Improve accessibility, sidewalks, for a more livable city for all to enjoy. Well, this is ground zero for that quote.

In closing, I want to reiterate that the city of Newburyport has the near perfect opening to address a multitude of things with just one swing: Adding accessibility to one of its finest parks, correcting the missed opportunity to do this during the Bradley Fuller Park Project, creating a safe environment for children under the age of 5 to walk the city streets, and showcasing to the city (residents and visitors) that this city's council can take swift action when it comes to our public's health and safety.

Thank you for your time in reading this and supporting the concerns, suggestions, and feedback provided by your constituents.

Gregory Caplan
17 Mechanics Row
Amesbury, MA 01913

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

May 31, 2022

AN ORDINANCE TO LIMIT ON-STREET PARKING ON BROWN SQUARE

Be it ordained by the City Council of the City of Newburyport as follows:

THAT Chapter 13 Article IV of the Code of Ordinances, City of Newburyport, Massachusetts, is hereby amended to read as follows, with ~~deletions double-stricken and italicized~~, and additions double-underlined and italicized:

Sec. 13-168. - Parking limited—Generally.

No person shall park any vehicle on the following streets or portions of streets as indicated below:

| <i>Street</i> | <i>Zones</i> |
|----------------------------|---|
| <u><i>Brown Square</i></u> | Northerly side from a point beginning approximately 400 <u>120</u> feet from the beginning of the square (Titcomb Street end) and extending for 60 <u>50</u> feet in an easterly direction. |

Furthermore, the area above described shall be cross-hatched to clearly delineate the no parking zone.

Councillor Jennie Donahue

In City Council May 31, 2022:

Motion to refer collectively ODNC00112, ODNC00113, and ODNC00114 to Public Safety by Councillor Zeid, seconded by Councillor McCauley. Roll call vote. 11 yes. Motion passes.

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

May 31, 2022

AN ORDINANCE TO ALLOW A DROP OFF ZONE ON BROWN SQUARE

Be it ordained by the City Council of the City of Newburyport as follows:

THAT Chapter 13 Article IV of the Code of Ordinances, City of Newburyport, Massachusetts, is hereby amended to read as follows, with ~~deletions double-stricken and in italicized~~, and additions double-underlined and italicized:

Sec. 13-171.1. - Pick-up and drop-off areas.

(1) A designated area located on the north side of Low Street from the Low Street entrance of the main parking lot to the exit of the circular driveway in front of the Rupert A. Nock Middle School, for the express purpose of allowing vehicles to stop temporarily for pick-up and drop-off of persons utilizing the middle school facilities. The driver of the vehicle must remain in the vehicle at all times while in this designated area. There is a twenty-five dollar (\$25.00) fine for violation of this section.

(2) A designated area consisting of one (1) parking space on the East side of Summer Street at the entrance to St. Paul's Episcopal church, 35 Summer Street for the express purpose of allowing vehicles to stop temporarily for pick-up and drop-off of persons. There is a twenty-five dollar (\$25.00) fine for violation of this section.

(3) A designated area consisting of one (1) parking space on the North side of Brown Square Way beginning at point 100 feet from Titcomb Street and running for a distance of 20 feet in an easterly direction for the express purpose of allowing vehicles to stop temporarily for pick-up and drop-off of persons. There is a twenty-five dollar (\$25.00) fine for violation of this section.

Furthermore, the designated area described above in paragraph (3) shall be marked on the ground with the words 'Drop Off Zone'.

Councillor Jennie Donahue

In City Council May 31, 2022:

Motion to refer collectively ODNC00112, ODNC00113, and ODNC00114 to Public Safety by Councillor Zeid, seconded by Councillor McCauley. Roll call vote. 11 yes. Motion passes.

Committee Items – June 13, 2022

Public Utilities

In Committee:

- APPT00314_04_25_2022 Daniel A. Simon 11 Jackson St. Water/Sewer Comm. 4/30/2024



CITY OF NEWBURYPORT
OFFICE OF THE MAYOR
SEAN R. REARDON, MAYOR

60 PLEASANT STREET - P.O. BOX 550
NEWBURYPORT, MA 01950
978-465-4413 PHONE
MAYOR@CITYOFNEWBURYPORT.COM

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA
2022 APR 19 AM 8:23

To: President and Members of the City Council
From: Sean R. Reardon, Mayor
Date: April 25, 2022
Subject: Appointment

I hereby appoint, subject to your approval, the following named individual as a member of the Water/Sewer Commission. This term will expire April 30, 2024.

Daniel A. Simon
11 Jackson Street
Newburyport, MA 01950

Daniel A. Simon
11 Jackson Street
Newburyport, MA 01950

March 14, 2022

Christine Jackson
Executive Assistant to the Mayor
Mayor's Office
City Hall
60 Pleasant Street
Newburyport, MA 01950

Dear Christine,

I am interested in the city commissions and seeking to be a volunteer for the Water/Sewer Commission and the Newburyport Trees Commission. Here is my resume with details of my expertise and experiences.

I am most interested to serve on the Water/Sewer Commission. I think I can use my skills best for this commission. If I am not chosen for the Water/Sewer Commission, I want to volunteer for the Newburyport Trees Commission.

I am a 33-year resident of Newburyport and recently retired from professional life. I want to give back to the community and use my expertise for community benefit. I am very interested and excited for the opportunity to serve on the commissions.

Please submit my resume to the mayor and appropriate commissions leaders. I look forward to hearing whether I am selected to serve on the commissions.

Sincerely,

Daniel A. Simon

DANIEL A. SIMON

11 Jackson Street
Newburyport, MA 01950

978-494-3651
dasimon978@gmail.com

EXPERTISE

40-year career in industry, commercial, and governmental leadership. Consulting services and customer services expertise with successful history in business operations, budgets, policies and procedures.

- Water and wastewater operator, previous certifications
- Management level experience for large city municipal water treatment facility
- Operations and policy development manager for industrial wastewater and pollution controls
- Environmental compliance director for industrial companies
- Industry consulting services and customer services expertise for communication, customer satisfaction, and business success
- Teams management for consulting service and customer service product development, marketing and sales

PROFESSIONAL EXPERIENCE

Applied Materials / Varian Semiconductor
Global Services Director

Gloucester, MA
Jan 2007 – March 2021

Led global teams for semiconductor equipment customer services and consulting services business growth

- Developed customer services and consulting services business Annual Operations Plan tied to company growth strategy and budgets
- Implemented policies and plans to meet \$350 million per year revenue and profit goals
- Drove all customer deals and final pricing in customer negotiations
- Developed and managed internal business systems, data systems, pricing programs, and deal making analytics

Axcelis Technologies, Inc.
Global Services Senior Product Manager

Beverly, MA
May 2004 – December 2006

Managed team for services marketing strategy, product positioning, pricing, and communications development. Directed business operations for service delivery to meet services product objectives.

EMC Corporation (now Dell Technologies)
Global Services – Marketing Manager

Hopkinton, MA
May 1999 – October 2003

Led Information Technology consulting services product marketing programs.

The BTI Consulting Group
Senior Manager Consultant Services

Boston, MA
October 1998 – May 1999

Led environmental consulting services market analysis and delivered presentations at large customer industry events.

DANIEL A. SIMON

978 -494-3651

Digital Equipment Corporation

Environmental Compliance Manager / Chemical Processes Manager

Maynard, MA

Sept 1987 – Sept 1998

Led programs for wastewater and air emissions controls and ultrapure water treatment. Environmental compliance manager for worldwide operations.

- Led teams for pollution control operations, policies and procedures
- Led advanced analytical laboratory operations to assure compliance
- Provided environmental expertise to worldwide manufacturing operations and audited compliance to regulations

GCI, Inc. and Circuits, DMA

Chemical Process Engineering Manager

Ft. Wayne, IN and Livonia, MI

June 1982 – August 1987

Chemical process engineering manager for printed circuit boards manufacturing.

- Responsible for all chemical operations and analytical laboratory to assure quality manufacture of circuit boards products
- Responsible for all wastewater and air emissions controls operations and regulatory compliance

City of Fort Wayne Water Treatment Utilities

Analytical Chemist

Ft. Wayne, IN

June 1981 – July 1982

Analytical laboratory and water treatment chemical controls manager to assure clean drinking water to city of 300,000.

- Developed and performed lab procedures for chemical and bacteriological analysis to assure compliance to clean drinking water standards.
- Member of management team for operations controls and on management track to become utility director.

ACADEMICS

Boston University Graduate School of Management

Master of Business Administration - Honors Graduate in Marketing

Boston, MA

May, 1995

Indiana University School of Arts and Sciences

Bachelor of Chemistry and Environmental Science

Bloomington, IN

May, 1981

PERSONAL

- Newburyport resident for 33 years with two children successfully graduating from the Newburyport School System
- Great desire to give back to the community
- Cub scout leader 1990s
- Newburyport Youth Services ski club chaperon for 7 years
- Participating in all the great recreational activities available in Newburyport area